



**Project No.
Request**

**2007CP-11-05
Request to Amend the
East Nashville Community Plan: 2006 Update**

**Associated Cases
Council District**

2007SP-122U-05
5 – Murray
6 – Jameson
7 – Cole
8 - Hart
5 - Porter

**School Districts
Requested by**

Councilmembers Murray, Jameson, Cole, and Hart

**Staff Reviewer
Staff Recommendation**

Wood
Approve

APPLICANT REQUEST

Amend the East Nashville Community Plan: 2006 Update to refine the Structure Plan policies of Community Center and Open Space by adding the Detailed Land Use Policies of Mixed Use, Mixed Housing, Office/Residential, Parks Reserves and Other Open Space, and Civic or Public Benefit for approximately 1,100 acres located along both sides of Gallatin Pike between East Literature Magnet School and Briley Parkway and refine the planned new alley system.

CURRENT STRUCTURE PLAN POLICIES

Open Space (OS)

Open Space (OS) is a general classification encompassing a variety of public, private not-for-profit, and membership-based open space and recreational activities. Types of uses intended within OS areas range from active and passive recreational areas, reserves, land trusts and other open spaces to civic uses and public benefit activities deemed by the community to be "open space." OS areas can range from large sites encompassing thousands of acres to small sites that are a fraction of an acre.

Community Center (CC)

Community Center (CC) is the land use policy for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Generally, Community Center areas are intended to



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contain predominantly commercial and mixed-use development with offices and/or residential above ground level retail shops.

PROPOSED DETAILED LAND USE POLICIES

Parks Reserves and Other Open Space (PR)

This category, similar to the Open Space land use policy, is reserved for open space intended for active and passive recreation, as well as buildings that support such open space.

Civic or Public Benefit (CPB)

This category includes various public facilities including schools, libraries, and public service uses.

Mixed Housing (MH)

This category includes single family and multifamily housing that varies based on lot size and building placement on the lot. Housing units may be attached or detached, but are encouraged to be thoughtfully placed rather than randomly located in a neighborhood. Generally, the character (mass, placement, height) should be compatible to the existing character of the majority of the street.

Mixed Use (MU)

This category includes buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Office (O)

This category is intended to include a variety of office uses. These offices will vary in intensity depending on which land use policy they are in, from the low intensity, low-rise offices intended in the Office Transitional category to the mid-and high-rise offices intended in Office Concentration.

BACKGROUND

District Councilmembers Pam Murray, Mike Jameson, Eric Cole, and Jason Hart asked the assistance of Metro Planning Department in establishing a Specific Plan Zoning District for Gallatin Pike in East Nashville (see 2007SP-122U-05 on this agenda) to meet community planning goals that have been expressed to them in recent years and to implement the community



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COMMUNITY PARTICIPATION

vision expressed through the East Nashville Community Plan for Gallatin Pike. Implementing the community plan goals through the Specific Plan does require some refinement of the East Nashville Community Plan's land use policies through the addition of Detailed Land Use Policies for the segments of Gallatin Pike for which detailed land use planning has not been completed. This is necessary to establish the land use provisions of the SP.

A community meeting was held on June 13, 2007 at the East Literature Magnet School. It was attended by approximately 60 people, about half of whom were property owners along Gallatin Pike and about half of whom were interested neighbors. Support was evident for the plan amendments and SP, although some people did have specific concerns such as the timing of the SP and whether public funding could be made available to assist with implementation.

ANALYSIS

The requested amendment is in keeping with the following goals and objectives of the East Nashville community plan:

Improve the appearance and function of the main corridors and other commercial areas.

Objectives:

- a. Focus most commercial activity at major nodes along Gallatin and Dickerson Pikes.*
- b. Make improvements such as more coordinated signage that is appropriately scaled for a pedestrian environment, landscaping, ADA compliant sidewalks, transit stops, and other streetscape elements.*
- c. Reduce the number of curb cuts as redevelopment occurs over time.*
- d. Encourage local residents and merchants associations to attract needed new businesses and high density housing to the corridors that would increase population, preserve existing residential neighborhoods, and help support local businesses.*

Increase commercial choices available to residents.

Objectives:



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- a. *Support well-designed, conveniently located commercial services within walking distance of residential areas, especially in the Neighborhood and Center Transect categories.*
- b. *Provide adequate opportunities at appropriate locations at neighborhood centers and nodes along Gallatin and Dickerson Pike for needed goods and services to develop.*
- c. *Encourage local residents and merchants associations to attract needed new businesses to areas where they are lacking.*
- d. *Facilitate new opportunities through such tools and resources as Detailed Neighborhood Design Plans, Planned Unit Developments, Urban Design Overlays, Specific Plan Zoning Districts, and Metropolitan Development and Housing Agency programs identifying and guiding development opportunities.*

The amendments to the community plan are a continuation of efforts that began in 2006 and culminated in February 2007 with the adoption of the Detailed Neighborhood Design Plan for Cleveland Park East and West, McFerrin Park, and Greenwood, and a separate Detailed Neighborhood Design Plan for East Hill, Renraw, and South Inglewood West. Both these DNDPs included segments of Gallatin Pike and both utilized a similar approach of using Mixed Use policy around major intersections and Mixed Housing Policy between major intersections with a Special Policy allowing first floor retail as long as additional floors are residential. The amendment also applies open space and civic detailed policies to parks, public schools, and libraries. In this case, an Office policy is used for the section of Gallatin Pike north of the Inglewood railroad overpass where office and residential zoning exist. A Special Policy adding residential as a use for this section is also included.

The Main Street section of the corridor is not being amended because it is covered by the Metropolitan Development and Housing Agency's East Bank and Five Points Redevelopment Plans, which specify the allowed land uses in great detail. These redevelopment plans are consistent with the East Nashville Community Plan. Thus, no further detailing of policies is needed.



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The two Special Policies included as part of this amendment are as follows. The first (#18) is an existing Special Policy used elsewhere in the East Nashville Community Plan that is being applied to additional locations through this amendment. The second (#23) is a new Special Policy being applied north of the Inglewood railroad overpass. Please note that Special Policy #1, which is being removed from Gallatin Pike through this amendment, is no longer needed because it is being replaced by the Detailed Land Use Policies, as was the intent of the East Nashville Community Plan. Special Policy #1 still applies along Dickerson Pike and is excerpted in this staff report for reference.

Special Policy Area 18

Because this area is undergoing a long-term transition from primarily commercial use and zoning to primarily residential use, it is appropriate to support rezonings that permit mixed use provided that each building is multi-story and the non-residential use is confined to the first floor (excluding parking, which is considered an accessory rather than a non-residential use for the purposes of this Special Policy).

Special Policy Area 23

This area is intended to contain residential as well as office uses, particularly with the intent of developing a strong residential component along the length of Gallatin Pike in the East Nashville community.

Special Policy Area 1

This Special Policy Area applies to the portions of the Gallatin and Dickerson Pike Community Center policy areas that are not currently covered by a Detailed Neighborhood Design Plan. The purpose of this Special Policy is to refine the Community Center policy provisions to help guide land use decisions until more detailed planning efforts can be completed.

Ten "nodes" that were intended to be focal points along the corridors were loosely identified during the plan update process. The boundaries and character of those nodes need to be refined through more detailed study. This Special Policy will gradually be replaced by detailed land use plans as they are completed through the Detailed Neighborhood Design planning or



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Corridor Committee planning processes that will follow the adoption of this community plan.

In the meantime, the following special policies apply:

1. For all portions of Special Policy Area 1, the only applications for rezonings that should be supported, unless there are exceptional circumstances, are those that:

- Meet the general intent of Community Center policy;*
- Achieve a high standard of urban design;*
- Conform to any redevelopment plan land use plans that are in place;*
- Are for a Specific Plan district or are accompanied by an Urban Design Overlay or Planned Unit Development application; and*
- Have been the presented to the local public for input at one or more community meetings prior to the Planning Commission public hearing on the application.*

In addition, in order to achieve a vertically and horizontally integrated mixture of uses along these currently predominantly commercial corridors:

2A. For those portions of the Special Policy area that are currently zoned as office, office/residential, or residential districts, the only applications for rezonings that should be supported, unless for a Specific Plan district or if there are exceptional circumstances, are those that:

- Are for another residential, office, office/residential or a mixed use zoning district. In the case of a mixed use zoning district, the applicant shall demonstrate that the development will incorporate vertically mixed uses that include residential. Building heights should not exceed six stories.*

Or

2B. For those portions of the Special Policy Area that are currently zoned as industrial or commercial



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districts, the only applications for rezonings that should be supported, unless for a Specific Plan district or if there are exceptional circumstances, are those that:

- *Are for an RM40 or RM60, office, office/residential or a mixed use zoning district. In the case of a mixed use zoning district, the applicant shall demonstrate that the development will incorporate vertically mixed uses that include residential. Building heights should not exceed six stories.*

The graphics included with this report show both the current and proposed land use policies for the three areas that correspond with the three Subdistricts of the proposed Gallatin Pike SP. The graphics also show refinements to the planned new alley system in Subdistrict 2.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2007SP-081G-06
Mt. Laurel Reserve
BL 2007-1482
22 – Crafton
9 – Warden
Dale & Associates, applicant, for Dudley and Arthur G. Ford et al, owners
Deferred from the June 14, 2007, Planning Commission Meeting.

Deferral

Staff Reviewer
Staff Recommendation

Logan
Approve with conditions

APPLICANT REQUEST

Preliminary SP

A request to change from One and Two-Family Residential (R20) to Specific Plan (SP) zoning property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 106 attached units.

Existing Zoning
R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BELLEVUE COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

Yes. The density of this development is 2.92 units/acres, which is within the RLM policy.

The Bellevue Community Plan states a community desire to preserve rural character and protect hills from being cut away to help keep the scenic views. The final SP site plan should take these goals into consideration by conforming to the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.

RECENT REZONINGS

On February 23, 2006, The Planning Commission recommended approval for a request to rezone this property to Multi-Family Residential (RM4). This request was deferred indefinitely by the Metro Council in July 2006.

PLAN DETAILS

Site Plan

The plan calls for 106 attached residential units. The number of units per building range from two to five. The front setback is 20 feet and the maximum height is three stories. The plan also includes a set of architectural standards. Elevations included with the final SP site plan will be reviewed against these standards.

Sidewalks

Sidewalks are required and shown on both sides of the private drive within this development.

Access

There is one access point from Hicks Road. The Fire Marshal has determined that this is inadequate access to protect the safety of the public. For the benefit of public safety, the plan must conform to the current Fire



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Parking

Code or by obtain a variance from the Appeals Board before 3rd Reading at Metro Council.

The plan calls for two stalls per unit. There is some additional guest parking along the streets.

Staff Recommendation

Staff recommends approval with conditions, including a condition requiring Fire Marshal approval before 3rd reading at Metro Council.

PUBLIC WORKS RECOMMENDATION

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

As noted in the traffic impact study, "the existing geometry limitations at the intersection of Hicks Road and the project access, a field-run survey should be conducted on Hicks Road in order to identify the extent to which the existing curve on Hicks Road will need to be modified to provide adequate sight distance at the project access. Specifically, it is anticipated that, at a minimum, some clearing and grading will be needed on the east side of Hicks Road along the project's frontage."

Prior to the submittal of construction plans, submit a "field run" survey along Hicks Road at the project access to provide adequate intersection and stopping sight distance, per AASHTO standards.



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Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	36.25	1.85	67	720	57	75

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhouse (230)	36.25	N/A	106	674	54	63

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-46	-3	-12

STORMWATER RECOMMENDATION

Preliminary SP Approved.

FIRE MARSHAL RECOMMENDATION

This project can not be approved at this time. The Fire Code has changed to NFPA 1 Uniformed Fire Code 2006 edition. This code recognizes NFPA 1141 Standard for Fire Protection in Planned Building Groups 2003 edition which requires access by a minimum of two distinctly separate routes, each located as remotely from the other as possible and larger (120 ft) diameter turnarounds. There are several other requirements as well such as water demands which are grater. The project Engineer or representative needs to meet with the Fire Marshal's Office on this project.

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary 4 Middle 4 High

Schools Over/Under Capacity

Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.



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CONDITIONS

(if approved)

1. Obtain Fire Marshal approval either by conforming to NFPA 1 Uniformed Fire Code 2006 edition or by obtaining a variance from the Appeals Board before 3rd Reading at Metro Council. Any changes to the plan required to obtain Fire Marshal approval must be approved by the Planning Department.
2. The approval of the Harpeth Valley Utilities District must be met prior to the issuance of any building permits.
3. Provide landscaping in areas labeled “small park.” All final landscape plans must be approved by the Planning Commission at the Final approval stage.
4. Street trees shall be planted along the private drives and spaced 25’ apart.
5. Incorporate features into detention and retention facilities that provide for use and aesthetic enjoyment
6. Design the Stormwater detention system to detain runoff in the fewest ponds necessary, directing water to few large basins rather than many small basins.
7. Design the Stormwater detention system at the beginning of the design process, and incorporate the system into the site as a natural amenity as well as an engineered facility.
8. Design naturally appearing Stormwater structures that provide variety and interest in the composition, shape, and diversity in plant material selection.
9. Select plant species based on their ability to survive the local climate, and their minimal demand for maintenance. Select plant species that are adaptable to the conditions typically experiences within Stormwater facilities.
10. The final SP site plan shall comply with the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.



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11. Pursuant to 17.28.050 of the Metro Zoning Ordinance, the final SP site plan shall be accompanied by a geotechnical report. Both the geotechnical report and the site plan shall be certified by a qualified engineer licensed in the State of Tennessee. The qualifying engineer shall certify that the construction techniques proposed adequately mitigate any potential soil hazards identified in by the report.
12. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
13. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning districts at the effective date of this ordinance, which must be shown on the plan.
14. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
15. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.



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16. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access utilizing the approved design and adequate water supply for fire protection must be met prior to the issuance of any building permits.
17. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
18. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
19. Clarify maximum bedrooms per unit in the corrected copy of the preliminary SP.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2007SP-084U-05
10th and Russell Street

BL2007-1510

6 – Jameson

5 – Porter

Jim Nickle, applicant, for Anthony Cherry and Charles Ritzen, owners

Deferral

Deferred from the May 24, 2007, Planning Commission meeting

Staff Reviewer
Staff Recommendation

Logan

Approve with conditions

APPLICANT REQUEST

Preliminary SP

A request to change from Office/Residential (OR20) to Specific Plan (SP) zoning property located at 205 South 10th Street, southeast corner of Russell Street and South 10th Street and within the Lockeland Springs-East End Neighborhood Conservation Overlay district, (.89 acres), to permit a total of 54,000 square feet containing 3 retail units and 44 residential units.

Existing Zoning
OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

EAST NASHVILLE COMMUNITY PLAN

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small-scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Special Policy Area 2

This Special Policy applies to several Neighborhood Center policy areas in the East Nashville Community Plan for which there is no Detailed Neighborhood Design Plan. The purpose of this Special Policy is to refine the Neighborhood Center policy provisions to help guide land use decisions until more detailed planning efforts can be completed.

For all portions of Special Policy Area 2, the only applications for rezonings of residential districts to a mixed use, office, or office/residential district that should be supported, unless there are exceptional circumstances, are those that:

- Are for a Specific Plan district or are accompanied by an Urban Design Overlay or Planned Unit Development application; and
- Have been presented to the local public for input at one or more community meetings prior to the Planning Commission public hearing on the application. In addition:

Rezonings to commercial, industrial, or lower density residential districts should not be supported, unless there are exceptional circumstances.



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Consistent with Policy?

Yes. The plan includes one mixed-use building with 3 retail units and 44 residential units. This plan meets the Neighborhood Center policy by creating a walk-to area with small-scale office, retail, and residential uses. Special Policy Area 2 requires a community meeting before a project can be heard by the Planning Commission. The applicant had two community meetings: one with East End Neighborhood Association on May 21, 2007, and one with Edgefield Neighborhood Association on May 29, 2007.

PLAN DETAILS

Site Plan

The plan calls for a three-story mixed-use building totaling 54,000 square feet. There is 4,321 square feet of Retail/Office and 44 residential units.

Sidewalks

There are existing sidewalks on both 10th Street and Russell Street.

Access

There are two access points: one from 10th Street and one from the alley parallel to 10th Street.

Parking

The plan calls for a total of 50 parking spaces on site. The total number of proposed parking spaces is sufficient to serve the proposed uses.

Elevations

Elevations have been reviewed and approved by staff. Final approval is subject to approval by the Metro Historic Zoning Commission.

Staff Recommendation

Staff recommends approval with conditions. The development meets the intent of the Neighborhood Center policy and the technical requirements of Special Policy Area 2.

PUBLIC WORKS RECOMMENDATION

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Show and label 25' minimum right of way radius of corner returns at the intersection of Russell Street and South 10th Street.



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Public sidewalks to be located within right of way.

Planters appear to be encroaching into right of way.

Proposed solid waste collection and disposal plan does not appear adequate. Provide three dumpster pads to accommodate solid waste disposal.

Identify provisions for recycling collection.

Public Works recommendations are based upon the Solid Waste Division's policies. The policies are based upon trash generation rates for the proposed uses and the services provided on collection and disposal.

If the developer wishes to work with the Public Works staff and provide possible alternatives on receptacles and collections, the request will be considered.

Clarify / identify hatching areas located within sidewalk along Russell Street / S. 10th Street.

Provide confirmation from zoning administrator that parking as provided is adequate for proposed uses.

Russell Street:

The plan proposes to construct a "bulb-out" on the south side of Russell Street. Duplicate / mirror roadway section on opposite side of Russell Street. Provide minimum 11' travel lanes.

If required parking is located on-street, construct first space as ADA accessible.

No parking within 30' of marked crossings.

Alley #292:

Construct alley per ST-263. Dedicate right of way. Remove 1st alley parking space off Russell Street to prohibit backing movements onto sidewalk.

Locate parking outside of right of way.

Construct ST-325 alley ramp at Russell Street.

S. 10th Street:

Construct driveway ramp per ST-325. Align driveway perpendicular to roadway.



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Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	.89	0.8	31,014	542	74	114

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/ Townhouse (230)	.89	N/A	39	289	25	28

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	.89	N/A	4,851	246	12	34

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-7	-37	-52

STORMWATER RECOMMENDATION

Preliminary SP approved.

URBAN FORESTER RECOMMENDATION

Must use Irrigation (Condos – no hose bibs allowed)

FIRE MARSHAL RECOMMENDATION

Provide water flow data on hydrant.

METRO SCHOOL BOARD REPORT

Projected student generation

5 Elementary 4 Middle 3 High

Schools Over/Under Capacity

Students would attend Warner Elementary School, Bailey Middle School, or Stratford High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.



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CONDITIONS

1. Sidewalks must be improved to Metro standards, if necessary.
2. The backflow preventer shall be located outside of any publicly visible areas.
3. Correct number of parking spaces in the plan.
4. Prior to the issuance of any permits, confirmation of approval of this proposal shall be forwarded to the Planning Commission by the Metro Historic Zoning Commission.
5. Except as otherwise specifically listed in the approved plan, with the submittal of the final site plan, the project must comply with all Urban Forester, Fire Marshal and Public Works conditions, excluding the condition requiring confirmation of adequate parking from the zoning administrator.
6. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning districts at the effective date of this ordinance, which must be shown on the plan.



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8. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
9. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
10. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2005SP-168U-10
Woodmont Condos
BL2007-1518
24 – Summers
8 – Fox
Councilmember John Summers, applicant, for
Chartwell Properties, owner.

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Amend SP and Final

A request to amend the Specific Plan (SP) district and for final approval for property located at 120B Woodmont Boulevard, and 117, 119 and 125 Kenner Avenue to add four single-family lots (0.92 acres) and to amend the provisions of the original SP district to permit 34 multifamily units and 7 single-family lots.

Existing Zoning
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

GREEN HILLS MIDTOWN COMMUNITY PLAN

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Residential High (RH)

RH policy is intended for new and existing residential development with densities above twenty dwelling units per acre. Any multi-family housing type is generally appropriate to achieve this density. The most common residential type will generally be mid or high-rise structures.

Consistent with Policy?

Yes. The request is consistent with both the Residential Medium and Residential High policies. The request is to add additional lots to the SP district. Three of the properties to be added are on the south side of Kenner Avenue immediately east of the existing SP district. The remaining lot to be added is on the north side of Woodmont Boulevard immediately east of the existing SP district. These properties are zoned R10 and are in a Residential Medium policy. The parcels are all currently developed with single-family homes and the plan calls for them to remain single-family residences.

This amendment to the SP district will also specify the alterations that will be permitted to take place on any of the single-family residences within the SP district, including the three single-family properties within the current SP district. The SP will also guide redevelopment if any of the homes were to be destroyed (see plan details below).

PLAN DETAILS

History

This request was originally submitted as a straight zone change (RM60), and PUD, but was disapproved by the Planning Commission on November 10, 2005. The Council referred the request back to the Commission as an SP and subarea plan amendment and was approved



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Site Plan

by the Planning Commission on February 9, 2006, and by Council on February 21, 2006. A request to amend the district by adding one new lot to the district was approved by the Commission and Council earlier this year.

The proposed amended plan calls for 34 condominiums and seven single-family residences. The only proposed changes from the last approved preliminary SP plan approved by the Metro Council are to add four single-family residential lots into the SP district and to provide the development guidelines explained below.

Everything else remains as previously approved with three new multi-story residential buildings along Woodmont Boulevard, and three single-family homes along Kenner Avenue. The three multi-story buildings will consist of a 10-story, a 6-story and a 3-story building, which will step-down from north to south.

Single-Family Lots

Staff recommends that certain conditions be required to ensure that the seven existing single-family homes within the district designated to remain as single family are maintained in a way that is consistent with the existing character of other single-family homes in the area. The previously adopted SP plan only specifies that the existing single-family residence “remain as single-family.” There is no guidance for future exterior work, additions, or rebuilding in the instance a home is destroyed.

Staff recommends the following restriction be added to this amendment to the SP district:

Additions

1. Additions shall be situated at the rear, and constructed in such a way that it will not disturb either front or side facades.
2. Additions shall not enclose front porches and existing front porches shall be maintained.
3. Additions shall use the same or similar exterior building materials as present on existing buildings.
4. Additions shall not exceed an overall height of 2 stories.

New Construction

1. New construction footprint shall not exceed 25% of the lot area.



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2. New construction shall not exceed 2 stories in height.
3. Shall have a front porch.
4. Shall be clad with brick or stucco. Other materials such as wood clapboard, cement fiber or other similar material may be used for accents and on gables.

PUBLIC WORKS RECOMMENDATION

No plan received.

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.35	n/a	3	29	3	4

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.35	n/a	34	257	22	25

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	3.5	n/a	7	67	6	8

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	3.5	n/a	34	257	22	25

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				38	3	4

STORMWATER RECOMMENDATION

No new plan was provided for review.



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METRO SCHOOL BOARD REPORT

Projected student generation

This request does not add any additional density so it will not generate additional students.

CONDITIONS

1. Additions shall be situated at the rear, and constructed in such a way that it will not disturb either front or side facades.
2. Additions shall not enclose front porches and existing front porches shall be maintained.
3. Additions shall use the same or similar exterior building materials as present on existing building.
4. Additions shall not exceed an overall height of 2 stories.
5. New construction footprint shall not exceed 25% of the lot area.
6. New construction shall not exceed 2 stories in height.
7. New construction shall have a front porch.
8. New construction shall be clad with brick or stucco. Other materials such as wood clapboard, cement fiber or other similar material may be used for accents and on gables.
9. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
10. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
11. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and



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adequate water supply for fire protection must be met prior to the issuance of any building permits.

12. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.



Project No.
Project Name
Council Bill
Council District
School Board District
Requested By

Zone Change 2006SP-162G-04
Myatt Drive Thornton's
BL2007-1512
4 - Forkum
3 - North
TRC International, applicant for Richard Bobbo, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Preliminary SP

A request to change approximately 1.87 acres from Single-Family Residential (RS7.5) to Specific Plan (SP) zoning to permit a convenience store with gas service at the southeast corner of Myatt Drive and Anderson Lane (900 Anderson Lane and 317 Myatt Drive).

Existing Zoning
RS7.5 District

RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as "SP."
- The SP District is not subject to the traditional zoning districts' development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.



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MADISON COMMUNITY PLAN

Structure Policy

Mixed Use (MU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Detailed Policy

Mixed Use (MU)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with policy?

Yes. While the proposed SP plan does not provide for a mixture of uses at this location the proposed convenience use and its layout are appropriate at this location.

PLAN DETAILS

History

This plan was deferred indefinitely by the Commission on September 28, 2006. During the past several months, the applicants has been working with the district's councilmember, planning staff and the community to address any concerns for their specific proposal as well to update the area's land use policy. The policy called for residential development, but the Commission approved the Mixed Use policy on May 10, 2007.

Site Plan

The plan calls for a 3,740 square foot convenience store and a covered fueling area with seven free standing pumps offering 14 fueling stations.



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Access

Access will be provided from Anderson Lane and from Myatt Drive. To enhance pedestrian access to and around the site the plan calls for decorative paving along both entrances and from Anderson Lane to the store.

Buffers

The property is located immediately adjacent to properties containing residential uses. To help ensure that the development will not be a nuisance to the adjacent residential properties, the plan calls for a 15 foot wide Standard B-2 Landscape Buffer Yard along the northern and eastern property lines adjacent the residential properties. At its closest point the proposed building will be within 5 feet of the property line, and will not allow for a 15 foot wide buffer. The building was placed at this location by the direction of planning staff so that it would be closer to Anderson Lane. While there will not be a 15 foot wide buffer behind the building the plan calls for a seven foot tall, solid, decorative fence to run along the property line where the 15 foot buffer will not be provided, and will provide appropriate buffering.

Elevations

Elevations have been provided and show a synthetic stone and stucco finish and have been approved by planning staff. Elevations also identify a 20 foot tall pole sign. All signs should be monument type signs and not exceed 5 feet in height.

Staff Recommendation

Staff recommends that the proposed SP be approved with conditions.

RECENT REZONINGS

None

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Recommend denial until a traffic study is submitted and approved by the Department of Public Works. If approved then Public Works' comments are as follows:

1. A Traffic Study is required. Schedule a traffic study scoping meeting with the Department of Public Works.
2. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.



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Maximum Uses in Existing Zoning District: RS7.5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.87	3.71	6	58	5	7

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market w/ Gas Station (945)	1.87	.045	3,740	NA	291	360

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	286	353

CONDITIONS

1. A traffic study is required. Schedule a traffic study scoping meeting with the Department of Public Works. If preliminary SP is approved without a traffic study, and the findings of any future traffic study require significant changes to the layout and design of the approved preliminary SP, then the plan may require reapproval from Metro Council.
2. Freestanding signs must be monument type and not exceed 5 feet in height. No pole signs shall be allowed. Proposed monument signs must be approved by planning staff prior to final approval by the Planning Commission. The pole sign shown on sheet C-2 must be removed from the plan.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
4. The application, including attached materials, plans, and reports submitted by the applicant and all



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adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



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9. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name
Council Bill
Council District
School Board District
Requested By

Zone Change 2006SP-181G-12
Evergreen Hills
None
32 - Coleman
2 – Brannon
Wamble and Associates, applicant for Turner Farm Partnership, L.P., owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Final SP

A request for approval of a final Specific Plan (SP) site plan to permit the development of phases 1 and 2 Evergreen Hills SP district, which includes 95 single-family lots and 45 single-family attached lots.

PLAN DETAILS
Site Plan

The plan calls for a total of 140 residential lots with 95 single-family lots and 45 single-family attached lots on approximately 28 acres with a density of approximately five units per acre. A total of 44 single-family lots will be included in Phase 1, and 51 single-family and 45 single-family attached lots will be included in Phase 2. The plan also calls for an existing farm house close to Old Hickory Boulevard to be used as a sales center.

Access

Lots will be accessed from new public roadways including public alleys. Access into the development will be from Old Hickory Boulevard.

Sidewalks

Sidewalks are required on both sides of all streets excluding alleys and are shown on the plan. As proposed, adequate cross walks are not shown within the traffic circle. Cross walks should be provided at each entrance into the traffic circle.

Open Space

The plan calls for a total of 8.3 acres (~30% of site) of open space. Open space will include natural areas, pocket parks, and court yards.

Preliminary Plan

The preliminary SP district was considered by the Planning Commission on November 14, 2006. The Commission recommend that the Metro Council approve the SP with conditions and it was subsequently approved by Metro Council in January of 2007. While the overall concept of the plan is generally consistent with the



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approved preliminary plan, there are several differences from the preliminary layout. While most of the differences are minor, some must be addressed prior to the issuance of any grading or building permits.

First, the preliminary SP plan document calls for estate lots within the Neighborhood Edge district to be at least 70 feet in width. As shown in the proposed final SP site plan, the lots (138-144) are only 60 feet in width and will have to be revised. Second, the preliminary SP sets a maximum 6% slope within the square. As proposed, the slope is over 6% and must be minimized. Lastly, minimum caliper size for trees needs to reflect a 3 inch minimum. While staff is recommending approval of this request with conditions, conditions may require that the total number of lots be reduced within these two phases.

Finally, the proposed final site plan includes a street layout that is not consistent with the streets shown for these phases in the Council-approved preliminary SP plan. Prior to the issuance of any building or grading permits, the final SP plan must be revised to incorporate changes to road design and street layout that are more consistent with the approved preliminary SP.

Staff Recommendation

Since the proposal is generally consistent the concept of the Council-approved plan, staff recommends that the final SP plan be approved with conditions.

RECENT REZONINGS

None

STORMWATER RECOMMENDATION

Approve with the following conditions:

1. Need NOC prior to final approval.
2. Provide Detention Agreement form (with signature and notarization), Long Term Maintenance plan, and recording fee for such documents. A Dedication of Easement will be required unless the site is to be platted.
3. Provide initial erosion control measures on a separate sheet (with existing contours only). Be sure that silt fence is placed on level contours. Also be sure to use diversion ditches to divert runoff to sediment basins prior to discharge into stream.
4. Add note on erosion control sheet stating:
"Contractor to provide an area for concrete wash



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down and equipment fueling in accordance with Metro CP – 10 and CP – 13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting.”

5. Add construction entrance on Ramstone Way or add note stating that no construction entrance allowed.
6. Provide all civil details (triple inlets, Conspan Bridge, etc.).
7. For the storm structures, double check drainage maps 106, 107, and 108.
8. For the storm structures, reduce bypass flows at inlets 131 and 202.
9. If the alleys are considered public roads, then reduce spread.
10. For the bridge calculations, the Tc seems high. Provide a larger drainage map showing the proposed travel path analyzing sheet, shallow, and channel flows. Show inverts for bridge as well as associated elevations (freeboard over designed storm).
11. For the storm structures, show proposed easement locations for pipes not constructed within the ROW (particularly 108-109). Make sure that easement locations are outside building envelopes.
12. Remove all non-green items outside of the Zone 2 buffer (Pipes 148-149, 151-151, etc.).

PUBLIC WORKS RECOMMENDATION

Submit construction plans for the Department of Public Works review and approval. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works.

In accordance with the recommendations of the traffic impact study, the following improvements, as a minimum, will be required for the Evergreen Hills development:

1. The site access at Old Hickory Boulevard shall be designed to include one lane for entering traffic and two lanes for exiting traffic. The exiting lanes shall be designed to include 75 feet of storage.
2. An eastbound left turn lane shall be constructed on Old Hickory Boulevard at the project access with 100 ft



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of storage and transitions per AASHTO/MUTCD standards.

3. A westbound right turn lane shall be constructed on Old Hickory Boulevard at the project access with 75 ft of storage and transitions per AASHTO/MUTCD standards.

In addition, the following conditions shall apply:

4. Along the property frontage, Old Hickory Boulevard shall be improved to provide a collector cross section as approved by Metro Public Works.

5. At the intersection of Old Hickory Boulevard and Burkitt Road, the developer shall conduct a periodic signal warrant analyses as determined by Public Works. If warranted and approved by Public Works, a traffic signal shall be designed and installed by the developer. Applicable road widening (left turn lanes) shall be completed by the developer at this time as well. A signal warrant analysis is not required with the development of these proposed 140 units.

For Evergreen Hills development, the Development Services Section of Public Works recommends, in order to meet the IDA Policy requirements, that this development make improvements to Pettus Road from the intersection of Pettus Road and Preston Road in a southerly direction to the first intersection of Pettus Road and Old Hickory Blvd. This segment of roadway is approximately 5000 feet in length meeting the length requirement of 5043 feet as established by the Planning Department for Evergreen Hills. This segment of roadway fronts the new school on Pettus Road and the Sunset development that Yazdian Construction is developing.

The design of the roadway section is to be a minimum of 2ea. 12 foot travel lanes and 4 foot shoulders on each side. The design is to incorporate the turn lane being provided by the school and the turn lane and sight distance grading work being done by the Sunset development.

The developer is to have his engineer submit the necessary roadway design documents and obtain approval by the Public Works Department (and other agencies as appropriate) prior to the recording of the 300th lot in Evergreen Hills. The improvements are to



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be bonded with the recording of the 300th lot. The roadway construction is to be completed within one year after the recording of the 300th lots.

Prior to finalization of this plan, provide engineering certification that the southeast arterial can be constructed within the right of way that is being dedicated.

CONDITIONS

1. Prior to the issuance of any building or grading permits, the final SP plan must be revised to incorporate changes to road design and street layout that are more consistent with the approved preliminary SP, as determined by the Planning Department.
2. All estate lots within the Neighborhood Edge district must be at least 70 feet in width as called for in the approved preliminary document.
3. The slope within the square may not exceed the 6% slope maximum stipulated in the approved preliminary document. Plan must be revised to reduce the slope.
4. Landscape documents shall specify a minimum caliper size of 3 inches as specified in the approved preliminary document.
5. Crosswalks shall be provided at each entrance into the traffic circle. Final location and design must be approved by Metro Public Works and Planning.
6. All Stormwater conditions listed above must be address prior to the issuance of any building permits including grading permits.
7. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
8. Prior to the issuance of any permits, confirmation of final approval of this proposal



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shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
11. These plans as approved by the Planning Commission will be used by the Department of Codes Administration and Planning to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
12. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



Project No.	Zone Change 2007SP-019U-14
Project Name	North Lake Town Homes
Council Bill	None
Council District	14 - White
School Board District	4 – Glover
Requested By	Dale and Associates, applicant for North Lake, LLC, owner
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Final SP

A request for final Specific Plan approval to permit the development of 20 town homes and a 4,000 square foot warehouse to be located at 541 and 551 Stewarts Ferry Pike.

PLAN DETAILS
Site Plan

The plan calls for 20 townhomes and a 4,000 square foot warehouse space to be located on approximately 4.57 acres. The residential density for this plan is approximately 4.4 units per acre. The Floor Area Ratio (FAR) for the warehouse is approximately 0.02, and 0.16 for the overall development. The 20 townhomes will be located in two 10-unit buildings. The residential portion of this plan will be located on the western side of the property close to Stewarts Ferry Pike, and the warehouse will be located at the eastern end of the property, approximately 600 feet behind the townhomes.

Access

Both the residential development and warehouse will be accessed from a shared private drive off of Stewarts Ferry. Townhomes will be rear loaded with access from a private one-way drive.

Preliminary SP

The Commission made a recommendation to the Metro Council to approve the preliminary SP with conditions on January 25, 2007, and the Council subsequently approved the preliminary SP with conditions in March of 2007. As proposed, the final SP site plan is consistent with the Council approved plan. While the layout of the final is consistent with the approved preliminary SP, there are a couple of conditions that must be met prior to the issuance of building permits and/or issuance of occupancy permits.



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First, the ordinance requires that either the applicant provide proof that an in-lieu fee for sidewalks has been paid for the properties and is retained my Metro, or if no proof can be furnished then sidewalks will be required along Stewarts Ferry Pike. Since proof of payment has not been received, sidewalks are required with the development. The applicant has agreed and sidewalks are shown on the plan. Second, the bill stipulates that if Metro Greenways Commission requires that the developer construct a paved multi-use path within the greenway easement, that it must be shown on the plan and constructed with the development. The applicant has agreed to construct the path and has shown it on the plan. The greenway project will require some additional disturbance of the stream buffer and will have to be approved by Metro Stormwater.

Staff Recommendation

Since the proposal is consistent with the Council approved plan, staff recommends that the final SP plan be approved with conditions.

STORMWATER RECOMMENDATION

No Exceptions Taken

PUBLIC WORKS RECOMMENDATION

All Public Works' design standards shall be met prior to permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

CONDITIONS

1. Prior to the issuance of occupancy permits the paved greenway path within the greenway easement must be fully constructed as required by Metro Greenways Commission. The precise location and construction of the path must be approved by Metro Stormwater prior to construction.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic



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Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration and Planning to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007SP-091U-14
BL2007-1542 (For MUN)
15 – Loring
4 – Glover
Littlejohn Engineering and Associates, applicant for
Oakley Enterprises, LP, Oakley Properties, and Mary
and Robert Green, owners

Staff Reviewer
Staff Recommendation

Swaggart
Defer the request for SP, and disapprove MUN

APPLICANT REQUEST

Preliminary SP

A request to change approximately 13 acres from Single-Family Residential (RS10) to Specific Plan (SP) zoning for property located at 1732, 1800, 1814, 1816, 1818, 1820, and 1824 Lebanon Pike and Clovernook (unnumbered), to allow for 29,000 square feet of retail use, 10,000 square feet of office use, and 72 townhomes.

Existing Zoning
RS10 District

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at an overall density of 3.7 dwelling units per acre.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

DONELSON-OLD HICKORY- HERMITAGE COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

No. The proposed SP and the MUN both call for commercial uses within a residential policy.

Applicant Request

This application was originally submitted for MUN but was converted to SP. The applicant has requested that the SP be deferred indefinitely to allow time to work with the community and planning staff. There is a bill at Council for MUN (BL2007-1542) which is scheduled to be heard on July 10, 2007. While the applicant has asked that Council withdraw the bill, official action cannot be taken until July 3, which is after the June 28, Commission meeting. Since a bill without a Planning Commission recommendation is automatically considered approved, the Commission should make a recommendation to Council for the request to rezone to MUN.

Staff Recommendation

Staff recommends that the SP be deferred indefinitely as requested by the applicant, and that the Commission recommend to Council that BL2007-1542, which is to rezone to MUN, be disapproved.

PUBLIC WORKS RECOMMENDATION

Traffic Study may be required at time of development.



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Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	13.7	6.18	84	886	69	92

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (820)	13.7	.242	144,418	8,608	195	797

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				7,722	126	705

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	13.7	6.18	84	886	69	92

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (820)	13.7	.6	358,063	15,559	337	1,453

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				14,673	268	1,361

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary 4 Middle 3 High

Schools Over/Under Capacity

Students would attend Pennington Elementary School, Two Rivers Middle School, or McGavock High School. McGavock High School has been identified as being over capacity by the Metro School Board. There is capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated April 2007.



Project No.
Project Name
Associated Cases
Council Bill
Council District
School District
Requested By

2007SP-103G-06
Harpeth Springs Village
PUD Cancellation 151-82-G-86
BL2007-1535
22– Crafton
9 – Warden
Wamble & Associates, applicant, for Psalms 65 Unit 2
LLC, owner

Staff Reviewer
Staff Recommendation

Jones
Disapprove

APPLICANT REQUEST

A request to change from Commercial Limited (CL) to Specific Plan (SP) zoning property located at 7960 Coley Davis Road, approximately 250 feet east of Somerset Farms Drive (5.78 acres), to permit 98 townhome units.

Existing Zoning
CL District

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BELLEVUE COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

No. The proposed density at 17 units per acre under the SP zoning district conflicts with the Residential Low Medium policy, which encourages densities in the range of two to four dwelling units per acre. There are also several design issues relative to the building orientation, open space, landscaping, and internal streets that staff would need to work on with the applicant in order to recommend approval of this project.

PLAN DETAILS

Site Plan

The plan proposes 98 units on 5.78 acres. The units consist of 20 live/work units with frontage on Coley Davis Road, 21 single family attached rowhouse units with views of the Cumberland River, and 57 single family attached townhouse units that front onto greenspace.

Elevations

Elevations have not been submitted with the application.

Street Access/Parking

The street system includes a cul-de-sac that serves as the main entrance and 24 foot private service drives or alleys that provide rear access to the residential units. There are two ingress/egress points onto Coley Davis Road A total of 237 parking spaces are proposed.

Environmental

A significant portion of the site perimeter is located within the 500 year floodplain. The 100 year floodplain also traverses a smaller section of the site along its perimeter. A greenway easement is required along the Harpeth River, which is not currently proposed.



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Staff Recommendation

Staff recommends disapproval of the Specific Plan (SP) district and preliminary plan. The basis for disapproval is the excessive density and the limited information about the proposed design of the project. Although the preliminary plan provides a mixture of housing types, the proposed density of 17 units per acre far exceeds the intended density under RLM policy which is two to four units per acre. Furthermore, the design configuration does not adequately address the environmental constraints presented by the floodplain and floodway, nor does the proposed street network support the proposed land uses. The preliminary plan includes a large cul-de-sac serving as the main entrance from Coley Davis Road, and an extensive alley system with 24 feet of right of way throughout the development. The proposed alley widths, at 24 feet, will function more as streets than private service lanes.

PUBLIC WORKS RECOMMENDATION

1. Submit construction plans
2. Provide documentation of adequate sight distance at project access. Indicate the available and required sight distance for the posted speed limit per AASHTO standards.
3. Provide dimensioned site plan. Identify parking locations, and parking for work units. Identify pavement width, and evaluate driveway location at cul-de-sac with center island in relation to traffic movements.
4. Provide useable guest parking. Identify 24' drive isles.
5. Identify alleys as public or private. No dead end alleys. Provide turnaround if alleys are greater than 150' from an intersection.
6. Identify solid waste collection and disposal plan. Identify dumpster pad location
7. Widen Coley Davis Road to provide a continuous three-lane cross section from the project access drive west to Somerset Farms Drive. Construct this left turn lane with 75 ft of storage at the project access and tapers per AASHTO/MUTCD standards.

STORMWATER RECOMMENDATION

Approved except as noted

1. Label water feature on plans as the water quality concept and area designated for detention.



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FIRE MARSHAL RECOMMENDATION

The project Engineer needs to meet with the Fire Marshal's Office concerning fire flow requirements, which have changed as of May 1, 2007.

New buildings shall be equipped with a Class I stand pipe system installed where any of the following conditions exist:

- (1) More than three stories above grade
- (2) More than 50 ft (15 m) above grade and containing intermediate stories or balconies
- (3) More than one story below grade
- (4) More than 20 ft (6.1 m) below grade

Fire Hydrants shall be in-service before any combustible material is brought on site.

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary 4 Middle 4 High

Schools Over/Under Capacity

Students would attend Gower Elementary School, Hill Middle School, and Hillwood High School. The Metro School Board has identified all three schools as having capacity for new students. This information is based upon data from the school board last updated April 2007.

CONDITIONS (if approved)

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application,



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supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including



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submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name
Associated Case
Council Bill
Council District
School District
Requested by

Planned Unit Development 151-82-G-06
Harpeth Springs Office Condos
Zone Change 2007SP-103G-06
BL2007-1534
22 – Crafton
9 – Warden
Wamble & Associates, applicant, for Psalms 65 Unit 2 LLC, owner

Staff Reviewer
Staff Recommendation

Jones
Disapprove

APPLICANT REQUEST
Cancel PUD

A request to cancel an unbuilt portion of a Planned Unit Development district located at 7978 Coley Davis Road, at Somerset Drive, zoned Commercial Limited (CL), (5.98 acres), approved for a 175 unit motel

BELLEVUE
COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

PUD HISTORY

Harpeth Springs PUD was originally approved in 1982 for residential, office, restaurant, and motel uses. The residential and commercial PUD included parcels 86, 87, and 88. The commercial PUD consisted of 8.95 acres and was approved for a 175 unit motel, a 10,000 square foot restaurant, and two office buildings totaling 55,000 square feet. In 2003, the PUD was revised to permit the development of a 24,000 square foot office complex containing four separate office buildings. Two of the buildings were constructed. In 2006, the PUD was revised to permit a 3,000 square foot daycare center, and a 4,500 square foot dance studio.

Cancellation Request

This request is to cancel the undeveloped commercial PUD on parcel 88 which was approved for a 175 unit motel.



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Consistent with policy?

No. The Bellevue Community Plan has designated Residential Low Medium policy to this area. Although the approved commercial PUD is inconsistent with policy, cancellation of the PUD would put into effect the CL base zoning district which is also not in compliance with the policy.

Staff Recommendation

Staff recommends disapproval of the PUD cancellation because it is inconsistent with the policy. Any request to cancel the PUD at this site should be accompanied with a design oriented zoning district that complies with RLM policy. The Specific Plan (SP) district which accompanies this PUD cancellation is also recommended for disapproval on the basis of design limitations and density that far exceeds the recommended two to four units per acre.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-110G-14
PUD 210-73-G-14
BL2007-1516
12 – Gotto
4 – Glover
Gresham Smith & Partners, applicant, for Deloitte & Touche, owner

Staff Reviewer
Staff Recommendation

Sexton
Approve

APPLICANT REQUEST
Zone Change

A request to change from Commercial Limited (CL) to Office Limited (OL) zoning property located on 4022 Sells Drive, approximately 590 feet east of Old Hickory Boulevard and located within a Planned Unit Development (17.93 acres).

Existing Zoning
CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and offices uses.

Proposed Zoning
OL District

Office Limited is intended for moderate office uses.

DONELSON/HERMITAGE
COMMUNITY PLAN

Commercial Mixed
Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Consistent with Policy?

Yes. The OL zoning district complies with the Donelson-Hermitage Community Plan’s Commercial Mixed Concentration policy for this area. The community plan identifies uses such as offices and research activities that complement the proposed zone change.

Staff Recommendation

Staff recommends approval, subject to approval of the associated Planned Unit Development cancellation. The OL zoning is also consistent with the existing uses



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on the property that were approved through the Commercial PUD district.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.

Typical Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	17.93	.321	250,710	12,343	272	1,149

Typical Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	17.93	.350	273,360	13,045	286	1,215

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				702	14	66

Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	17.93	.6	468,618	18,534	396	1,736

Maximum Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	17.93	.75	585,773	21,427	453	2,011

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				2,893	457	275



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

PUD Cancellation 210-73G-14
Zone Change 2007Z-110G-14
BL2007-1515
12 – Gotto
4 – Glover
Gresham Smith & Partners, applicant, for Deloitte & Touche, owner

Staff Reviewer
Staff Recommendation

Sexton
Approve, subject to the approval of the associated zone change

APPLICANT REQUEST
PUD Cancellation

A request to cancel a portion of the Planned Unit Development overlay on property located on 4022 Sells Drive, approximately 590 feet east of Old Hickory Boulevard, that was previously approved for 150,000 square feet of offices uses (17.93 acres), zoned Commercial Limited (CL) and proposed for Office Limited (OL).

Existing Zoning
CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and offices uses.

DONELSON/HERMITAGE COMMUNITY PLAN
Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

PUD HISTORY

The originally-approved PUD plan only allowed for one access point off of Sells Drive. The PUD was last amended on January 9, 2003, and ultimately approved by Metro Council on March 21, 2003 (BL2003-1318). The amendment proposed an extension of Hermitage Park Lane into the PUD parking area with a new cul-de-sac constructed at its terminus. The extension allows for a new, gated, access point for the Deloitte & Touche office site.

Furthermore, on May 8, 2003, a request to revise the preliminary and final approval was granted to the applicants to allow for the development of a 351 square



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Consistent with Policy?

foot disaster relief bunker to be located in the southeast corner of the parking lot area.

Yes. The OL zoning district complies with the Donelson-Hermitage Community Plan's Commercial Mixed Concentration policy for this area. The community plan identifies uses such as office, and research activities that complement the proposed zone change.

Staff Recommendation

Staff recommends approval, subject to approval of the associated Planned Unit Development cancellation.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-111G-12
BL2007-1494
31 – Toler
2 - Brannon
John S. Liehr, applicant, for Todd and Shannon Nussey, owners

Staff Reviewer
Staff Recommendation

Jones
Approve

APPLICANT REQUEST

A request to change 3.2 acres from One and Two-Family Residential (R20) to Agricultural/Residential (AR2a) zoning property located at 6631 Holt Road, approximately 725 feet west of Redmond Lane.

Existing Zoning
R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning
AR2a District

Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

**SOUTHEAST
COMMUNITY PLAN**

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

Yes. The AR2a district permits very low density residential development and generally occurs in rural areas. This district supports the Residential Low Medium policy and would be compatible with the surrounding development pattern.

Staff Recommendation

Staff recommends approval of the zone change request because it meets policy and it is consistent with low



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density residential development pattern in the area. Property along Holt Road consists primarily of large lot single family homes, vacant land or farms.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

No Exception Taken

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	3.2	1.85	5	48	4	6

Maximum Uses in Proposed Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	3.2	1 du/2 acres	1	10	1	2

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-38	-3	-4

METRO SCHOOL BOARD REPORT

Projected student generation

0 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. All three schools are identified as overcrowded by the Metro School Board. While the schools are overcrowded, the projections show no additional students would be generated by this zone change request. This information is based upon data from the school board last updated April 2007.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-112U-10
BL2007-1483
25- Shulman
8 - Fox
Councilmember Jim Shulman

Staff Reviewer
Staff Recommendation

Sexton
Disapprove

APPLICANT REQUEST

A request to change from One and Two-Family Residential (R10) to Single Family Residential (RS10) zoning, property located at 2005 Lombardy Avenue, approximately 410 feet east of Hillsboro Pike (0.35 acres).

Existing Zoning
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
RS10 District

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Residential Medium-High (RMH)

RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

Consistent with Policy?

No. The RS10 zoning district does not comply with the density range of nine to twenty dwelling units per acre as specified in the Residential Medium-High policy.

Staff Recommendation

Staff recommends disapproval because the request is inconsistent with policy.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

No Exception Taken



Metro Planning Commission Meeting of 6/28/2007

METRO SCHOOL BOARD REPORT

Projected Student Generation

As this request to change to a single-family district represents a down zoning, the number of expected students to be generated would be less than could be generated under current zoning.



**Project No.
Project Name**

**Zoning Text Change 2007Z-113T
Text Amendment to Change Review of Bulk
Standards in Historic Districts**

**Council Bill
Requested By**

None
Metro Historic Zoning Commission

**Staff Reviewer
Staff Recommendation**

Logan
Approve

APPLICANT REQUEST

A request to amend the Metro Zoning Code, Section 17.40.410 to permit the Historic Zoning Commission to determine, for lots within historic overlay districts, the maximum building size and buildable area within which a building can be located.

APPLICATION DETAILS

Section 17.40.410 of the Zoning Ordinance provides the powers and duties of the Metro Historic Zoning Commission (MHZC). Within this section is the list of elements within historic overlay districts that MHZC has the power to review. The list currently includes the appropriateness of architectural features for new construction and additions, and the appropriateness of exterior alterations and repairs, building relocation, and demolition. This text amendment proposes the addition of “[t]he appropriateness of the maximum size of buildings and structures on a lot and the buildable area within which a building can be located, including setbacks and height.”

Within the design guidelines for an established historic overlay district are the requirements for new construction, additions, and demolition. These design guidelines, when adopted by the MHZC, are found to be in accordance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties*. The design guidelines for an established district include sections on height and scale, which give the MHZC contextual guidance when reviewing new construction, additions, or demolitions for compliance with the proposed text amendment.

**Metro Historic Zoning Commission
Staff Recommendation**

The Metro Historic Zoning Commission (MHZC) staff has reviewed the attached text amendment to section 17.40.410 of the Zoning Regulations of Davidson County. The MHZC staff approves the proposed text amendment, which addresses the review of setbacks



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Staff Recommendation

and height of new construction in historic districts, as it follows the MHZC adopted design guidelines for new construction in historic overlay districts.

Because the text amendment furthers the intent of the design guidelines for established historic overlay districts, staff recommends approval.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2007SP-114U-10
Beacon Way Townhomes
BL2007-1509
34 – Williams
8 – Fox
Thomas and Elizabeth Moltini and Charles Carroll,
owners

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST

Preliminary SP

A request to change 1.25 acres from Single-Family Residential (RS40) to Specific Plan (SP) district for property located at 4000 Wayland Drive, at the northwest corner of Wayland Drive and Beacon Drive to permit two detached single-family homes.

Existing Zoning
RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
 - The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
 - Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
 - Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.
-



Metro Planning Commission Meeting of 6/28/2007

GREEN HILLS MIDTOWN COMMUNITY PLAN

Residential Low (RL)

RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre) residential development. The predominate development type is single-family homes.

Consistent with Policy?

Yes. The proposed plan for two single-family lots on 1.25 acres is equal to 1.6 dwelling units per acre, which is consistent with the RL policy calling for one to two dwelling units per acre.

PLAN DETAILS

History

This property was rezoned from R40 to RS40 in September 2006. The owner of the property was issued a building permit to build a duplex on the property, however, before the RS zoning took effect. While the current zoning of RS40 does not permit duplexes, the owner can still legally build a duplex on this property.

Currently, there are two homes sitting on this property because one new home was allowed to be built on the back portion of the lot to allow the owner to live in the existing house while the new house was being built. Under the conditions of the permit, the existing house must be demolished when the new house becomes occupied, or it must be attached to the new house to become a duplex

Site Plan

The proposed plan includes two single-family homes on two lots, including a 6,000 sq. ft. house and a 7,200 sq. ft. house. The SP plan includes specific landscaping for each lot.

Staff Recommendation

The plan proposes a 27,992 sq. ft lot and a 24,029 sq. ft. lot. Although this is not a subdivision request, lot comparability analysis indicates that the lots would need to be approximately 30,000 sq. ft. if a subdivision was being requested. This proposal would not meet the lot comparability standards of the Subdivision Regulations, but it would qualify for an exception since the proposed 1.6 units per acre is consistent with RL Policy. Two single-family lots are more consistent with the surrounding neighborhood's massing than one large duplex would be at this location. Although duplexes are appropriate on corner lots, the proposed size of



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these two houses would be inconsistent with the neighborhood if they were attached since this would add even more mass and create one large structure. Two single-family homes are consistent with the intended single-family pattern that was established in 2006, when the area was rezoned from R40 to RS40. The proposed density of the SP is also consistent with the duplex permit that has already been issued for this site. Since a duplex can legally be built today, staff recommends the SP as it will provide the same density as the duplex and will be more consistent with the single-family zoning in the area than a duplex.

PUBLIC WORKS RECOMMENDATION

No Exception Taken

STORMWATER RECOMMENDATION

Exempt from Metro Stormwater Requirements.

METRO SCHOOL BOARD REPORT

Projected student generation

This request does not add any additional density so it will not generate additional students.

CONDITIONS (If approved)

1. No drains shall be located so as to drain directly onto neighboring properties. Drains shall be directed toward the drainage areas on site between Lot 1 and Lot 2. French drains, or similar type drain, shall be installed around the wall to direct water flow to a centralized location on site.
2. New home on Lot 1 shall have a maximum height of 30 feet.
3. The garage doors on Wayland Drive shall not face the street.
4. Lot No. 1 shall be designed to front on both Beacon Drive and Wayland Drive. Final SP plans shall include architectural elevations depicting the two fronts.
5. Stone and wood wall shall be built as depicted in Exhibit #1 on the plan, and shall be consistent with



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the existing wall on Lot No. 2. This wall will be constructed of brick to match the non-stucco brick on the front of the house on Lot 2; the columns of the fence at the rear of Lot 1 will be solid stone similar to Exhibit 1. All columns will be at least 8 feet (from the ground) at their lowest point with the peak to maintain the same elevation the entire length. The wood portion will be no more than six inches from the top of stone/brick on the column. The fence will extend from the northwest corner of Lot 2 to a point that is parallel with the southwest corner of the proposed house on Lot 1. The caps of the columns are to be similar to Exhibit 1 except they will match the dark grey color of the stone. The wood portion of the fence will match Exhibit 1 except that it will not be “scalped” but straight across between columns. The exact location of the fence will be determined in the field and approved with the Final SP. It shall be located so that no existing mature trees will be removed during the installation. If necessary, the fence will be re-directed at 90 degree angles only.

6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds. For any development standards, regulations and



Metro Planning Commission Meeting of 6/28/2007

requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the *RS20* zoning district effective at the date of the building permit. This zoning district must be shown on the plan, including setbacks. Note No. 8 on the plan shall not apply.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-115U-14
BL2007-1538
15 - Loring
4 - Glover
Keith Cameron, owner

Staff Reviewer
Staff Recommendation

Jones
Disapprove

APPLICANT REQUEST

A request to change from One and Two-Family Residential (R10) to Commercial Limited (CL) zoning property located at 318 Donelson Pike, at the northwest corner of Donelson Pike and Emery Drive (0.67 acres).

Existing Zoning
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CL District

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

DONELSON HERMITAGE COMMUNITY PLAN
Office Transition (OT)

OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

Consistent with Policy?

No. The requested Commercial Limited district is inconsistent with the Office Transition policy. The OT policy preserves the established character of the area along this portion of Donelson Pike which is predominantly small office uses that serve as a transition to the residential neighborhood along Emery Drive, Lakeland Drive, and Seneca Drive. The Commercial Limited district is intended for more



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intense development and is appropriate in policy areas that support commercial, office and/or mixed uses.

Staff Recommendation

Staff recommends disapproval because the Commercial Limited district is inconsistent with the adopted community plan policy and would bring a level of development intensity that is incompatible with the neighboring residential and small office uses. Staff recommends the applicant pursue the Office Limited district at this site to ensure compatibility with the surrounding uses.

RECENT REZONINGS

The Planning Commission voted to approve an Office Limited district for property located at 316 Donelson Pike at its April 12, 2007 meeting, and on properties located at 408 and 415 Donelson Pike at its April 26, 2007 meeting.

PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	3.2	1.85	5	48	4	6

Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.2	.350	48,787	768	106	134

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				720	102	128



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Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	3.2	1.85	5	48	4	6

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.2	.6	83,635	1,163	163	173

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1,115	159	167



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-116G-03
BL2007-1517
3 - Hunt
3 - North
Ellis Jakes, owner

Staff Reviewer
Staff Recommendation

Logan
Approve

APPLICANT REQUEST

A request to change from One and Two-Family Residential (R15) to Commercial Service (CS) zoning property located at 7425 Old Hickory Boulevard, approximately 1,915 feet west of I-24 (2.4 acres).

Existing Zoning
R15 District

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CS District

Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY

Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Consistent with Policy?

Yes. Commercial Service is consistent with the Commercial Mixed Concentration policy.

Staff Recommendation

Staff recommends approval because the request is consistent with policy.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.



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Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.4	3.71	8	77	6	9

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Care Center (942)	2.4	.233	24,358	NA	72	77

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	66	68

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.4	3.71	8	77	6	9

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Care Center (942)	2.4	.6	62,726	NA	185	186

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	179	177

METRO SCHOOL BOARD REPORT

Projected student generation

No students would be generated by this request.



Project No.
Project Name
Council Bill
Council District
School District
Requested By

2007SP-118U-05
Venita Axley Townhomes
BL2007-1513
7 - Cole
5 - Porter
Fisher & Arnold Inc., applicant, for Venita Axley, owner

Staff Reviewer
Staff Recommendation

Sexton
Disapprove

APPLICANT REQUEST

Preliminary SP

A request to change from One and Two-Family Residential (R10) to Specific Plan (SP) zoning, property located at 942 Riverside Drive, approximately 140 feet south of Rosebank Avenue (0.59 acres), to permit the development of 3 new detached single-family units and to retain one existing single-family home.

Existing Zoning
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.



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EAST NASHVILLE COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

No. The proposed SP plan has a density of 8.8 dwelling units an acre. The Residential Low Medium Policy within the East Nashville Community Plan supports a range of two to four dwelling units an acre.

Staff Recommendation

Staff recommends disapproval due to the request being inconsistent with the Residential Low Medium policy.

PLAN DETAILS

Lot Comparability

The proposed SP plan creates two lots, one for the existing single-family home and one for the three townhomes.

Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft.)	Minimum lot frontage (linear ft.)
The two new lots have the following areas and street frontages:		
Riverside Drive	8,784	69.0

- 10,892 sq. ft. and 69 ft. of frontage in Lot 1,
- 8,998 sq. ft. and 69 ft. of frontage in Lot 2,

Both lots pass lot comparability.

Site Plan

The plan proposes 3 new detached, single-family units in addition to the existing single-family home. Even though the housing type is consistent with the RLM policy, the density of 4 units on .59 is more than twice



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Elevations

the density specified by the policy. The proposed SP includes the existing home on one lot and three detached homes on another lot. Lot 1 would contain three two-story homes. Lot 2 would contain an existing residence located on the southerly portion of the property. The plan has been revised to respond to community concerns. However, the number of units still exceeds RLM policy.

The maximum height proposed by this plan is two stories at the front setback. The applicant has submitted both house plans and elevations. Because of the shape of the property and relationship to Riverside Drive, the submitted house plans are ill-suited for the site. The SP application should include a revised site plan with house plans that are appropriate to the site and possibly include a formal garden with a low fence. Additionally, more detailed elevations are necessary. Each facade facing a street should have the architectural elements of a front façade. These include, but are not limited to, windows, doors, porches, and dormers.

Access

There are two primary access points from the rear of the units located on Waters Avenue.

PUBLIC WORKS RECOMMENDATION

1. Identify sidewalk requirements
2. Per metro code, provide a 30 foot separation between driveways or consolidate driveways into a single connection onto Waters Avenue.

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.07	3.71	3	29	3	4

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	1.07	n/a	3	29	3	4

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District



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		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				0	0	0

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Rosebank Elementary School, Litton Middle School, and Stratford High School. None of the schools have been identified as being overcapacity by the metropolitan School Board. This information is based upon data from the school board last updated April 2007.

CONDITIONS (if approved)

1. Lot 2 is restricted to a single-family use only.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, Lot 2 shall be subject to the standards, regulations and requirements of the RS10 zoning district and Lot 1 shall be subject to the standards and regulations of RM9 zoning, effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.



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4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning



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Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.



Project No.
Project Name
Council District
School District
Requested By

2007Z-119U-05
Skyline Redevelopment District
5 - Murray
5 - Porter
Metropolitan Development and Housing Agency

Staff Reviewer
Staff Recommendation

Withers
Approve

APPLICANT REQUEST
Redevelopment District

An ordinance to apply the Skyline Redevelopment District to property located on Dickerson Pike and bounded by 1st Street, I-24, Whites Creek Pike and Fern, encompassing 148 parcels, requested by the Metropolitan Development and Housing Agency

ZONING
IWD District

Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

CS District

Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses.

REDEVELOPMENT DISTRICT

Nashville's redevelopment districts are established to ensure the use and long-term viability of the urban areas that they encompass. The districts aim to strategically reverse disinvestment and blight and promote redevelopment that is sustainable from economic, environmental, aesthetic, public safety, and historic preservationist perspectives. Although specific goals differ across districts, all include strategies for achieving vibrant mixes of land use, income levels, and modes of transportation.

EAST NASHVILLE
COMMUNITY PLAN POLICY

Cleveland Park Detailed
Neighborhood Design Plan Policies
Mixed Use (MU)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This



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Mixed Housing (MH)

category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Special Policy 18

Because this area is undergoing a long-term transition from primarily commercial use and zoning to primarily residential use, it is appropriate to support rezonings that permit mixed use provided that each building is multi-story and the non-residential use is confined to the first floor (excluding parking, which is considered an accessory rather than a non-residential use for the purposes of this Special Policy.)

DISTRICT DETAILS

Redevelopment districts aim to strategically reverse disinvestment and blight and promote redevelopment that is sustainable from economic, environmental, aesthetic, public safety, and historic preservationist perspectives. The area currently contains a mixture of land uses. Of these, approximately 40% of parcels are used for commercial purposes, with nearly half of these related to automobile services. 26% of parcels in the project area are vacant. 16% are used for industrial purposes. 7% of parcels contain residences. 6% contain offices. 5% contain parking as a primary use. 2% contain community uses (daycare & union). The area contains deteriorated and dilapidated buildings and vacant and overgrown lots.

The district establishes regulations to guide new private development, but also enables MDHA to acquire, demolish or rehabilitate substandard properties to enable redevelopment. The enforcement of land use and design controls and the acquisition of land for redevelopment are tools used to eliminate blight and prevention its recurrence. The district controls land use by proposing two districts, Arterial Mixed Use and Mixed Use. The districts are listed below with specific



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permitted uses, uses permitted with conditions and prohibited uses:

Arterial Mixed Use-

Permitted Uses- Assisted Living, Churches, Schools, Daycare, Office, Retail, Restaurants, Multifamily

Conditional Uses- Wholesale Sales, Warehousing Light Manufacturing, Parking Structures, Drive-through restaurants

Prohibited Uses- Surface Parking Lots, Car Washes, Car Sales and Repair/Services, Night Clubs, Liquor Stores, Adult Entertainment, Detached S.F. and Duplex

Mixed Use –

Permitted Uses- Assisted Living, Churches, Schools, Daycare, Office, Retail, Restaurants, Hotel/Motel, Public Facilities & Parks, Multifamily

Conditional Uses- Single-family and duplexes, Parking structures (with ground level uses), Drive-through restaurants

Prohibited Uses- Surface Parking Lots, Car Washes, Car Sales and Repair/Service, Night Clubs, Liquor Stores, Adult Entertainment, Wholesale Sales, Warehousing, Light Manufacturing

Design review is required for any improvement requiring a building permit. A general list of design requirements is included in the document. There are also supplemental documents that projects in the redevelopment must adhere to, *Design Principles for Redevelopment Districts* and *Redevelopment District Signage Guidelines*. The document authorizes MDHA to later adopt district specific design guidelines. The general guidelines in the document are as follows:

- New Buildings should be built close to the sidewalk along street frontages
- Landscape plan required
- Buffering per Zoning Ordinance
- Exterior design review required
- No head-in parking off public streets. Alley or rear access parking encouraged
- No billboards or general advertising signs
- Temporary Structures on a case by case basis

Staff Recommendation

Approve. The proposed land use districts are not perfectly aligned with the community plan policies but



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are much closer than the uses that are allowed by the currently existing zoning districts. The district establishes review criteria that will bring future development closer to meeting the goals of the community plan policies than the currently unrestricted CS, CL and IWD zoning districts do.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-120U-07
Richland-West End Addition
BL2007-1529
24 – Summers
9 - Warden
Councilmember John Summers

Staff Reviewer
Staff Recommendation

Logan
Approve, subject to approval of the proposed overlay by the Metro Historic Zoning Commission prior to the Planning Commission meeting.

APPLICANT REQUEST

A request to apply a Conservation Overlay District to include properties located north of Murphy Road and bounded by I-440, the railroad tracks, and Hillsdale Avenue.

Existing Zoning
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

PROPOSED OVERLAY DISTRICT

Section 17.36.120 of the Metro Zoning Ordinance recognizes Neighborhood Conservation Districts, along with Historic Preservation Districts and Historic Landmarks, as *Historic districts*. These are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and



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distinguishable entity whose components may lack individual distinction; or

4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

The Metro Historic Zoning Commission will review any new construction, additions, demolitions, or relocation of structures.

WEST NASHVILLE COMMUNITY PLAN POLICY

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Consistent with Policy?

Yes. The proposed Richland-West End Addition Neighborhood Conservation Overlay does not change the base zoning. Further, the proposed overlay will serve to preserve the distinctive character of the Richland-West End Addition Neighborhood.

**Metro Historic Zoning Commission
Recommendation**

On June 26, 2007, the Metro Historic Zoning Commission will meet to review the proposed new Neighborhood Conservation Zoning District. The Commission will determine if the area is a historically significant geographic area as per the criteria of Metro Code 17.36.120. Additionally, the commission will consider design guidelines for the proposed area, which are the same design guidelines as the adjacent Neighborhood Conservation Zoning District, Richland-West End. MHZC staff is recommending approval because “approximately 74 percent of the proposed parcels with structures are deemed historic (built prior to 1942) with the majority of the structures being built from 1910s to 1940s”



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Application Fee

There are 46 properties in this request, and the total fee would be \$2,227. If each property owner was to file a Zone Change application individually, the total fee would be \$73,600.

Staff Recommendation

Staff recommends approval subject to final verification and approval of the boundaries by the MHZC as appropriate for a conservation overlay in accordance with the requirements for such overlays. The request is consistent with the applicable land use policies and the intent of Section 17.36.120.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

METRO SCHOOL BOARD REPORT

Projected student generation

As this request to apply a conservation overlay does not change the underlying zone district, the number of expected students to be generated is zero.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-121U-03
BL2007-1533
2 - Isabel
2 - Brannon
Bianca Benford, owner

Staff Reviewer
Staff Recommendation

Logan
Diaspprove

APPLICANT REQUEST

A request to change from Single-Family Residential (RS10) to Mixed Use Limited (MUL) zoning property located at 1905 County Hospital Road, approximately 215 feet south of John Mallette Drive (0.40 acres).

Existing Zoning
RS10 District

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Proposed Zoning
MUL District

Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY

Single Family Attached and Detached in Neighborhood General (SFAD in NG)

SFAD is intended for a mixture of single family housing that varies based on the size of the lot and the placement of the building on the lot. Detached houses are single units on a single lot (e.g. single family house), while attached houses are single units that are attached to other single family houses (e.g. townhomes).

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Bordeaux Village South Detailed Neighborhood Design Plan

The Bordeaux Village South DNDP is a walkable center concept with development scenarios that will help guide development along the Clarksville Pike corridor. The concept outlines the appropriate location



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of particular land uses and the proper orientation of buildings associated with those uses.

Consistent with Policy?

No. The Bordeaux Village South DNDP envisions a walkable center with Commercial Mixed Use buildings along Clarksville Pike, Mixed Housing close to Clarksville Pike, and townhouses transitioning into detached single-family at the edges of the neighborhood. This request inappropriately locates Mixed Use, which is a higher intensity use, within the area designated for transitioning to single-family.

Staff Recommendation

Staff recommends disapproval because the request is inconsistent with policy.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.40	3.7	1	10	1	2

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	0.40	0.144	2,509	NA	195	242

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	194	240



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Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.40	3.7	1	10	1	2

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	0.40	.111*	1,934	NA	150	186

*Adjusted as per use

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	149	184

METRO SCHOOL BOARD REPORT

Projected student generation*

2 Elementary 2 Middle 1 High

Schools Over/Under Capacity

Students would attend Bordeaux Elementary School, Ewing Park Middle School, or Whites Creek High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.

* Because there is no maximum number of dwelling units per acre in an MUL zoning district, staff assumed a 1,200 sq. ft. dwelling unit.



Project No.	Zone Change 2007SP-122U-05
Project Name	Gallatin Pike Improvement District SP
Associated Case	2007CP-11-05
Council Bill	BL 2007-1523
Council Districts	5 – Murray, 6 – Jameson, 7 – Cole, and 8 - Hart
School Districts	5 - Porter
Requested by	Councilmembers Murray, Jameson, Cole, and Hart
Staff Reviewer	Kleinfelter
Staff Recommendation	<i>Approve with revisions</i>

APPLICANT REQUEST

Preliminary SP

A request to change from various zoning districts to SP zoning, various properties located along Main Street and Gallatin Pike (263.71 acres), to regulate land uses and establish sign and development standards.

Existing Zoning

See the table at the end of this staff report for a listing of all existing zoning districts within the boundaries of this requested zone change.

Proposed Zoning

SP District

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
 - The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
 - Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
 - Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.
-



Metro Planning Commission Meeting of 6/28/2007

EAST NASHVILLE COMMUNITY PLAN

Consistent with Policy?

See the table at the end of this staff report for a listing of the current structure plan policies and proposed detailed land use policies within the boundaries of this requested zone change.

Yes. The proposed SP district is designed expressly to implement the existing and proposed detailed land use policies in the East Nashville Community Plan along this stretch of Gallatin Pike. The SP document includes provisions that tie land uses, building regulations, infrastructure requirements, and signage regulations directly to the detailed community plan policies for property included within the boundaries of the SP district.

PLAN DETAILS

As discussed in the staff report for the proposed amendments to the East Nashville Community Plan associated with this zone change, this Specific Plan district was requested by Councilmembers Murray, Jameson, Cole and Hart.

The SP includes every parcel of land that abuts both sides of Main Street / Gallatin Pike, from South 5th Street to the south side of Briley Parkway, except for those parcels located within the Institutional Overlay for the Nashville Auto Diesel College and Planned Unit Developments adopted pursuant to BL2003-82 and BL2005-881.

Goals

The plan is intended to implement several goals that originated from the district councilmembers who represent this area. The goals of the SP are:

- To reduce visual clutter from signage along the corridor.
- To improve the aesthetics and economic viability of the corridor by using zoning to discourage land uses perceived to have a negative impact on the surrounding community.
- To minimize the impact of parking facilities within the study area.
- To encourage walking, cycling, and transit as viable transportation options, by providing a



Metro Planning Commission Meeting of 6/28/2007

Structure of the Plan

mix of uses and promoting construction of a system of sidewalks and transit shelters.

- To provide parking for those who live, work, and shop in the study area in a manner that does not dominate the street and is sensitive to the pedestrian environment.
- To soften the visual impact of new development and provide a greater level of comfort for pedestrians.
- To provide for the daily needs of residents and visitors by providing pedestrian friendly neighborhood centers in strategic locations along the corridor.

The SP district establishes land use and design standards for properties contained within SP boundaries. The SP district is divided into three separate subdistricts that reflect the context of each section and are identified on maps contained in the SP document. Within each subdistrict, the following issues are addressed in the district:

- **Development guidelines** explain the design intent of the SP district. Future development is intended to be consistent with the development guidelines, but they are not regulatory in nature.
- **System regulations** address transportation, parking, and access; streetscape, signage, and landscaping and buffering. For each category, goals and standards are provided. The goals describe the intent of the SP for each system and the standards provide the framework to achieve the goals. The standards are regulatory for each subdistrict and future development within the SP district must be consistent with them.
- **Building standards** set requirements for height, physical configuration, and design that are required for building permit applications within the SP district. Many different building types are permitted within each subdistrict, but there are requirements that new buildings within the SP district must meet. The standards are presented through text, graphic representations, and photographic examples of buildings



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When do the provisions of The Gallatin Pike Improvement Plan SP apply?

consistent with the standards. The standards are regulatory for each subdistrict and future buildings within the SP must be consistent with them.

- **Land Uses** that establish the permitted and excluded land uses for each subdistrict. The permitted and excluded land uses are regulatory for each subdistrict and future development within the SP district must be consistent with them.

Signage – In addition to the specific standards for each subdistrict, the SP includes general sign standards in a separate section. The sign standards are regulatory and all future development within any portion of the SP must be consistent with them.

The SP was crafted to ensure that new development within its boundaries is not discouraged by application of new standards to relatively minor development permit applications. The system regulations and building standards contained in the SP district apply when:

- The value of any one expansion is 25%, or the value of multiple expansions during any 5-year period is 50% of the value of all improvements on the lot prior to expansion; or
- The total building square footage of any one expansion is 25%, or the total building square footage of multiple expansions during any 5-year period is 50% of the total building square footage of all improvements on the lot prior to expansion.

As explained below, staff recommends a change to the current draft of the SP to clarify that the land use standards and bulk regulations contained in the SP district will apply immediately upon adoption of the SP zoning by the Metro Council. In addition, the signage provisions included in the SP apply without limitation to all sign-related permits.



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Proposed Plan Revisions

A draft of the SP document has been posted to the Planning Department website since June 12, 2007, was presented at a public meeting on June 13, and is being delivered to the members of the Commission with this staff report. The SP document will be filed as an amendment to the SP ordinance at Council prior to its passage on third reading. There are changes required to the document before it is presented to the Council.

1. A parcel located at the southwest corner of Spain Avenue and Gallatin Pike was inadvertently left off the map of properties included in the SP for Subdistrict 2. This parcel – Map 072-10, Parcel 095 – is included in the Council bill that has been filed, but the map in the SP document should be revised to include the parcel also.
2. This SP zoning will replace the existing base zoning district for all properties within its boundaries. The document currently states that it only applies after the 25% or 50% trigger provisions are met. Unless revised, the SP will result in there being no regulations for land uses and bulk standards for development permits that do not meet the trigger provisions. Staff recommends that the SP document be revised to clarify what land use standards and bulk regulations apply for development that does not reach the 25% or 50% thresholds.

Staff recommends that Page 7 of the SP document be revised as follows:

“The design guidelines, system regulations, and building standards provisions of this SP shall apply to the redevelopment of property when the provisions of paragraphs 1 or 2 below are met.”

And add new paragraphs 4 and 5 as follows:

“4. The permitted and excluded land uses contained in Section E for each subdistrict contained herein shall apply to all properties located within the SP district upon adoption of this SP ordinance by the Metro Council.”



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“5. The bulk regulations for all properties located within the SP district shall be determined by reference to the zone districts included in the land use table in Section E for each subdistrict.”

The land use table for Subdistrict 1 does not include a designated zone district for properties located within MDHA redevelopment plans because the permitted uses are determined by reference to those MDHA plans. In order to determine appropriate bulk regulations for these portions of the SP district, a zone district must be designated. Staff recommends that the land use table for Subdistrict 1 be amended by adding the following footnote for the Community Center policy listed in that table:

“For the purpose of establishing bulk regulations for development that does not require application of the design guidelines, system regulations, and building standards contained in this SP district, the MUG zoning district shall apply to all areas designated as Community Center.”

3. The land use maps included in the current SP document do not include the rear portions of some deeper lots. This occurred because the policy update prepared by the Community Plans division was limited to the Gallatin Pike corridor itself. Because the rear portions of these lots are included within the SP district, however, the land use maps must be revised so that the appropriate land uses can be determined, as well as bulk regulations for development not subject to the design guidelines, system regulations, and building standards contained in the SP. Staff recommends that the land use maps in the current document be replaced by revised maps, which are included in this staff report. In addition, staff recommends the following additions to the land use tables included in the SP document:



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Table 1

Subdistrict 1 Land Use Area	Zone District for Land Use Purposes
Neighborhood General	R6

Table 2

Subdistrict 1 Land Use Area	Zone District for Land Use Purposes
Single Family Detached	RS5

Table 3

Subdistrict 1 Land Use Area	Zone District for Land Use Purposes
Neighborhood General	RS7.5

Staff Recommendation

Staff recommends approval of the Gallatin Pike Improvement Plan SP zoning district with the revisions noted above.

PUBLIC WORKS RECOMMENDATION

Detailed plans have not been submitted to allow Public Works to review and provide any engineering decisions or recommendations. Any final SP site plan or development permit will be reviewed for technical compliance with Metro Public Works standards. Integrity of the major thoroughfare plan must be maintained.

STORMWATER RECOMMENDATION

All final SP site plans must have approved construction drawing prior to final approvals.

FIRE MARSHAL RECOMMENDATION

No comments received

WATER SERVICES RECOMMENDATION

Water Services will need an availability request, calculations, construction plans and calculation fees for review and approval with any application for a final SP site plan



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CONDITIONS

1. Except as otherwise noted herein, the SP document prepared by the Planning Department, supplemental information, and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and in some instances approval by the Metropolitan Council.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

METRO SCHOOL BOARD REPORT

Projected student generation

The projected number of students is not able to be determined at this time. The number of students will be projected with any final SP site plan that includes residential units.

EXISTING ZONING DISTRICTS:

CS	Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses
CL	Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses
MUG	Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses
OR20	Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre
OL	Office Limited is intended for moderate intensity office uses
RS10	RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre
RS7.5	RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre
RS5	RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre



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LAND USE POLICIES

EXISTING STRUCTURE PLAN POLICIES	
Open Space (OS)	Open Space (OS) is a general classification encompassing a variety of public, private not-for-profit, and membership-based open space and recreational activities. Types of uses intended within OS areas range from active and passive recreational areas, reserves, land trusts and other open spaces to civic uses and public benefit activities deemed by the community to be "open space." OS areas can range from large sites encompassing thousands of acres to small sites that are a fraction of an acre.
Community Center (CC)	Community Center (CC) is the land use policy for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Generally, Community Center areas are intended to contain predominantly commercial and mixed-use development with offices and/or residential above ground level retail shops.
PROPOSED DETAILED LAND USE POLICIES	
Parks Reserves and Other Open Space (PR)	This category, similar to the Open Space land use policy, is reserved for open space intended for active and passive recreation, as well as buildings that support such open space.
Civic or Public Benefit (CPB)	This category includes various public facilities including schools, libraries, and public service uses.
Mixed Housing (MH)	This category includes single family and multifamily housing that varies based on lot size and building placement on the lot. Housing units may be attached or detached, but are encouraged to be thoughtfully placed rather than randomly located in a neighborhood. Generally, the character (mass, placement, height) should be compatible to the existing character of the majority of the street.
Mixed Use (MU)	This category includes buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.
Office (O)	This category is intended to include a variety of office uses. These offices will vary in intensity depending on which land use policy they are in, from the low intensity, low-rise offices intended in the Office Transitional category to the mid-and high-rise offices intended in Office Concentration.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-123U-05
BL2007-1501
6 – Jameson
05 – Porter
Councilman Mike Jameson, applicant, for various property owners

Staff Reviewer
Staff Recommendation

Jones
Approve, subject to approval of the proposed overlay by the Metro Historic Zoning Commission prior to the Planning Commission meeting.

APPLICANT REQUEST

A request to amend the adopted Eastwood Neighborhood Conservation Overlay to include various properties located along Douglas Avenue, Chapel Avenue, Matthews Place, Greenwood Avenue, Sumner Avenue, North 14th Street, North 16th Street, Setliff Place, McKennie Avenue, Sharpe Avenue, Straightway Avenue, Franklin Avenue, Gallatin Avenue, Benjamin Street, Benson Street and Eastland Avenue (130.49 acres).

Existing Zoning
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

RM15 District

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre.

OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

MUL District

Mixed Use Intensive is intended for a high intensity mixture of residential, retail, and office uses.

CN District

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Overlay District

Section 17.36.120 of the Metro Zoning Ordinance recognizes Neighborhood Conservation Districts, along with Historic Preservation Districts and Historic



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Landmarks, as *Historic districts*. These are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

The Metro Historic Zoning Commission will review any new construction, additions, demolitions, or relocation of structures.

EAST NASHVILLE COMMUNITY PLAN POLICY

Open Space (OS)

OS policy is intended to encompass public, private not-for-profit, and membership-based open space and recreational activities. The OS designation indicates that recreational activity has been secured for an open space use.

Neighborhood General (NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or



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Community/Corridor Center (CC)

Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Major Institutional (MI)

MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to planned major institutional areas, including expansions of existing areas and new locations. Examples of appropriate uses include colleges and universities, major health care facilities and other large scale community services that do not pose a safety threat to the surrounding neighborhood. On sites for which there is no endorsed campus or master plan, an Urban Design



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Special Policy Areas

Special Policy Area 1

or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

The area proposed for the conservation overlay district consists of several different zone districts and land use policies. The policies listed above are further broken down into more site specific policies, which are discussed below.

1. For all portions of Special Policy Area 1, the only applications for rezonings that should be supported, unless there are exceptional circumstances, are those that:

- Meet the general intent of Community Center policy;
- Achieve a high standard of urban design;
- Conform to any redevelopment plan land use plans that are in place;
- Are for a Specific Plan district or are accompanied by an Urban Design Overlay or Planned Unit Development application; and
- Have been the presented to the local public for input at one or more community meetings prior to the Planning Commission public hearing on the application.

In addition, in order to achieve a vertically and horizontally integrated mixture of uses along these currently predominantly commercial corridors:

2A. For those portions of the Special Policy area that are currently zoned as office, office/residential, or residential districts, the only applications for rezonings that should be supported, unless for a Specific Plan district or if there are exceptional circumstances, are those that:

- Are for another residential, office, office/residential or a mixed use zoning district. In the case of a mixed use zoning district, the applicant shall demonstrate that the development will incorporate vertically mixed uses that include residential. Building heights should not exceed six stories.



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Special Policy Area 2

South Inglewood (West 2) Detailed Neighborhood Design Plan

Mixed Housing (MH)

Or

2B. For those portions of the Special Policy Area that are currently zoned as industrial or commercial districts, the only applications for rezonings that should be supported, unless for a Specific Plan district or if there are exceptional circumstances, are those that:

- Are for an RM40 or RM60, office, office/residential or a mixed use zoning district. In the case of a mixed use zoning district, the applicant shall demonstrate that the development will incorporate vertically mixed uses that include residential. Building heights should not exceed six stories.

For all portions of Special Policy Area 2, the only applications for rezonings of residential districts to a mixed use, office, or office/residential district that should be supported, unless there are exceptional circumstances, are those that:

- Are for a Specific Plan district or are accompanied by an Urban Design Overlay or Planned Unit Development application; and
- Have been the presented to the local public for input at one or more community meetings prior to the Planning Commission public hearing on the application. In addition:

Rezonings to commercial, industrial, or lower density residential districts should not be supported, unless there are exceptional circumstances.

MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.



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Single Family Detached (SFD)

SFD is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

National Register Historic Properties

There is one property eligible to be listed in the National Register within this proposed overlay area. Two properties are have been classified as Worthy of Conservation. Thus, three of the properties proposed for this overlay already meet criterion of Section 17.36.120 of the Metro Zoning Ordinance.

Consistent with Policy?

Yes. The Conservation Overlay District does not change the existing base zone districts, but provides additional restrictions that help protect the character of the area. The East Nashville Community Plan identifies this area as containing numerous historic resources. In addition, the East Nashville Plan discusses the need to preserve the character and atmosphere of existing residential neighborhoods.

Metro Historic Zoning Commission Recommendation

A Neighborhood Conservation District was designated for 113 parcels in May of 2004 by the Metro Historical Commission and approved by the Metro Council. On June 26, 2007, the Metro Historic Zoning Commission will meet to review the proposed extension of this overlay to include 415 parcels within the Eastwood Neighborhood as well as adopt design guidelines for the proposed district. The Metro Historic Zoning Commission staff has determined that 74 percent of the proposed 415 parcels with structures are deemed historic (built prior to 1945), with the majority of the structures being built from the 1900s to 1940.

Application Fee

There are 415 properties in this request, and the total fee would be \$12,472.05. If each property owner was to file a Zone Change application individually, the total fee would be \$664,000.

Staff Recommendation

Staff recommends approval of the Eastwood Neighborhood Conservation Overlay subject to the approval by the Metro Historic Zoning Commission of final district boundaries and design guidelines. While there are homes and structures within this proposed overlay that are not historic, the East Nashville Community Plan identifies the Eastwood Neighborhood



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District as Worthy of Conservation. The Eastwood Neighborhood district includes portions of Douglas, McKennie, Chapel, Greenwood, Roberts, and Sharpe Avenues.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

METRO SCHOOL BOARD REPORT

Projected student generation

As this request to apply a conservation overlay does not change the underlying zone district, the number of expected students to be generated is zero.



**Project No.
Name**

**Zone Change 2007Z-125T
Alteration and restoration of nonconforming
structures**

**Council Bill
Council District
School District
Requested by**

BL2007-1543
Countywide
N/A
Councilmember Jim Gotto

**Staff Reviewer
Staff Recommendation**

Kleinfelter
Approve with conditions

APPLICANT REQUEST

A council bill to amend Section 17.40.650 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the alteration and restoration of nonconforming structures.

DESCRIPTION

This proposed ordinance changes two provisions in the Metro Code that relate to a landowner’s right to continue a nonconforming use. One proposed amendment would allow the owner of a two-family dwelling (a duplex) located in a RS district to rebuild within five years after it is damaged or destroyed, replacing the one year limit currently in the Code. The other section of the ordinance would amend the Code to remove certain limitations placed on the Board of Zoning Appeals when reviewing a request to alter a building that contains a nonconforming use. This section also includes a revision to clarify that approval from the Board of Zoning Appeals is not required for rebuilding a duplex, if the time limit requirements are met.

ANALYSIS

Legally nonconforming duplexes

Many areas of Davidson County have been rezoned by the Metro Council from R to RS in recent years. In those areas, existing two-family dwellings are permitted to continue as a legal use, subject to limitations spelled out in Section 17.40.650 of the Code. That section currently provides that a legally nonconforming duplex that is “damaged or destroyed” can be “restored within one year regardless of percentage of damage or destruction.” This provision is interpreted by the Zoning Administrator to allow rebuilding of a duplex that is accidentally damaged or destroyed, and also to allow an owner to demolish the existing duplex and replace it with a new duplex. In either event, the owner must receive a permit to rebuild the duplex within one year.



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The only change proposed by this ordinance for this section is to change the time period within which the duplex can be rebuilt from one year to five years. This issue has been discussed by the Planning Commission in the context of recent “mass rezonings” of areas from R to RS zone districts. Members of the Commission have expressed concerns that owners of legal nonconforming duplexes may require more time than the current one-year period within which to rebuild, if the structure is damaged or destroyed. Staff recommends approval of this portion of the ordinance.

Existing Code – 17.40.650 E.2.

“In a residential district, a nonconforming use shall cease if fifty percent or more of the floor area of the building or structure is damaged or destroyed. When damage is to less than fifty percent of the floor area, the building may be restored within one year of the date of the damage. A structure containing a two-family nonconforming use within an RS district may be restored within one year regardless of percentage of damage or destruction.”

Proposed Code

“In a residential district, a nonconforming use shall cease if fifty percent or more of the floor area of the building or structure is damaged or destroyed. When damage if to less than fifty percent of the floor area, the building may be restored within one year of the date of the damage. A structure containing a two- family nonconforming use within an RS district may be restored within five years regardless of percentage of damage or destruction.”

Alteration of legal nonconforming structures

In addition to allowing five years for rebuilding a nonconforming duplex, the proposed ordinance also would amend Section 17.40.650 D of the Code, which regulates the alteration of a structure containing any nonconforming use. Currently, that section states that a permit can be issued for the alteration of a legal nonconforming use only if it is approved by the Board of Zoning Appeals and 1) there is no proposed change in use for the property, and 2) the floor area ratio (FAR) for the property will not exceed the maximum allowed under the current zoning district for the property. The proposed ordinance would amend Section 17.40.650 D by removing the prohibition against a change in use for



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the nonconforming property and the limit on the FAR related to any alteration of the structure. This section of the ordinance also includes a revision to clarify that approval from the Board of Zoning Appeals is not required for rebuilding a duplex if the time limit requirements are met.

Changes in nonconforming uses are generally controlled by subsection C of 17.40.650. That section sets requirements for changes in use based on whether the property is located in a residential or nonresidential district, and based on whether the building is designed and constructed for use as a residence or a nonresidential use. Because subsection C regulates changes in use for a nonconforming use, the provisions in 17.40.650 D that prohibit a change in use if the building is being altered appear to be unnecessary. Staff is not aware of a reason that the Code should flatly prohibit a change in use if the building is being altered, but not if the building is not being altered. Amending the Code to remove the absolute prohibition against changing uses when a structure is being altered is reasonable because the general provisions in subsection C adequately regulate changes in nonconforming uses.

The proposed ordinance also would remove a requirement that the FAR for any altered structure containing a nonconforming use cannot exceed the FAR permitted by the current zone district for the property. Staff recommends that the ordinance be amended to reinstate this requirement. The FAR of a nonconforming use should not be any greater than what is allowed for legal uses within the zoning district.

Existing Code – 17.40.650 D.

“Alteration of a Structure Containing a Nonconforming Use. For any use not otherwise protected by Tennessee Code Annotated Section 13-7-208, alterations other than incidental shall be permitted only through the issuance of a permit by the board of zoning appeals subject to:

- 1. The proposed replacement and/or expansion shall not involve any change in use.*
- 2. The floor area ratio (FAR) of the expanded use together with all other uses on the lot shall not exceed the maximum FAR currently permitted in the district.”*



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Proposed Code

“Alteration of a Structure Containing a Nonconforming Use. For any use not otherwise protected by Tennessee Code Annotated Section 13-7-208 and subsection E. below, alterations other than incidental shall be permitted only through the issuance of a permit by the board of zoning appeals.”

Staff Recommendation

Staff recommends approval of the proposed ordinance, but disapproval if the ordinance is not amended to reinstate the requirement that the FAR for any altered structure containing a nonconforming use may not exceed the maximum FAR currently permitted in the zoning district where the nonconforming use is located.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2007Z-142U-08
BL2007-1536
19 - Wallace
1 – Thompson
Melvin Jacinta Smith, owner

Staff Reviewer
Staff Recommendation

Jones
Disapprove

APPLICANT REQUEST

A request to change from Commercial Neighborhood (CN) to Mixed Use Limited (MUL) zoning property located at 1505 9th Avenue North, approximately 115 feet north of Cheatham Place (0.34 acres).

Existing Zoning
CN District

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning
MUL District

Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

**NORTH NASHVILLE
COMMUNITY PLAN**
Mixed Use (MU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the



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Buena Vista Detailed Neighborhood Design Plan

Mixed Use (MxU)

surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

MxU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Neighborhood Center

The area along 9th Avenue, North from Cheatham Place to Garfield Street should be improved and infilled to provide a mixture of neighborhood-scale retail and service uses such as small restaurants, markets, laundromats, and beauty salons. Additional single-family attached and detached housing are also appropriate.

OVERLAY DISTRICT

Urban Zoning Overlay

This property is located within an urban zoning overlay. The intent of the urban zoning overlay district is to preserve and protect existing development patterns that predate the mid-1950s. The urban zoning overlay allows for alternative street setbacks for properties within mixed use, office, industrial, multifamily, or commercial zone districts. Development on this site must adhere to the UZO regulations and standards established by the Metro Zoning Code.

National Register Historic District

This property is located in the Buena Vista Historic District, an area designated as historic on the National Register of Historic Districts.



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Consistent with Policy?

No. Any zone change requests in the Mixed Use and Neighborhood Center policy areas must be accompanied with a design oriented zoning overlay such as a Planned Unit Development, Urban Design Overlay or a site plan. Furthermore, the Mixed Use Limited district permits certain uses that are inconsistent with the policy. The land use policy also states that MUL districts are encouraged in Mixed Use policy areas **only** if the proposed site fronts an arterial street with four or more lanes.

Staff Recommendation

Staff recommends disapproval of the Mixed Use Limited district. Although mixed uses are encouraged in this area, those uses should be dictated by design based zoning that will ensure a development type or form that is consistent with the surrounding area and meets the needs of the neighborhood. This request for a Mixed Use Limited district did not include a design oriented overlay or site plan. To permit an MUL district at this location without a site plan or design overlay would leave this neighborhood vulnerable to a much higher intensity of development than intended by the policy.

RECENT REZONINGS

None

PUBLIC WORKS RECOMMENDATION

A traffic study may be required at time of development.

Typical Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.34	0.103	1,525	103	9	26

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	0.34	0.144	2,133	NA	166	206

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+608	NA	157	180



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Maximum Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.34	.25	3,703	106	14	14

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	0.34	.111*	1,644	NA	128	158

*Adjusted as per use

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			-2,059	NA	114	144

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Brookmeade Elementary School, Hill Middle School, and Hillwood High School. All three schools are identified as having capacity for new students by the Metro School Board. This information is based upon data from the school board last updated April 2007.



Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2007S-110U-03
Monticello Subdivision
2 – Isabel
1 – Thompson
Dale and Associates, applicant, for The Little Miss Toddler Trust, owner

Staff Reviewer
Staff Recommendation

Swaggart
Defer or disapprove unless a recommendation of approval is received from Stormwater prior to the Planning Commission meeting.

APPLICANT REQUEST
Concept Plan

Request to subdivide approximately 6.92 acres into 29 single-family lots located on properties located at Monticello Drive (unnumbered), approximately 480 feet south of Trinity Hills Parkway.

ZONING
RS7.5 District

RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

SUBDIVISION DETAILS

The concept plan proposes 29 single-family lots with an overall density of 4 dwelling units per acre. Lots range in size from 7,500 sq. ft. to 14,182 sq. ft. and meet the minimum required lot size for the RS7.5 district.

Access/Connectivity

The development will be accessed by a new public roadway off of Monticello Drive. A majority of the lots will be accessed from the front by a new public roadways (lots 9-27), while some lots will be accessed from the rear by alleys (lots 1-8, lots 28 and 29). A temporary cul-de-sac is provided to the east and will provide for future connectivity if the vacant property to the east develops. The adjacent property to the north and west is within a Planned Unit Development (PUD) overlay that does not provide connectivity to this property so staff is not requiring a connection to the property within the PUD overlay. Sidewalks are proposed for all new streets and along the property boundary and Monticello Drive and will provide for adequate pedestrian access.

Open Space

Less than an acre of passive open space is proposed and includes a public utility and drainage easement and area for water quality. This is not a cluster lot subdivision so there is no minimum open space requirement.



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Lot Frontage (Section 3-4.2.b)

Section 3-4.2.b of the Metro Subdivision Regulations stipulates that new lots have frontage on a public street, or where permitted, on a private street. All lots with the exception of lots 1 and 2 will front directly onto a public roadway. While lots 1 and 2 will not front directly onto a roadway they will indirectly front onto Monticello Drive and will be accessed by a rear alley. The original layout had lots backing towards Monticello, which was not appropriate since no other lots in the area backed towards Monticello Drive. The applicant worked with planning staff and modified the layout to include all homes whether directly or indirectly fronting onto Monticello Drive. Since the lots will have adequate access then staff recommends that a variance to Section 3-4.2.b of the Metro Subdivision Regulations be approved.

Staff Recommendation

Staff recommends that the concept plat be approved with conditions including a variance to Section 3-4.2.b of the Metro Subdivision Regulations.

STORMWATER RECOMMENDATION

RETURNED FOR CORRECTION

1. Label Water Quality Devices and Ponds.
 2. Add the standard buffer note: "The buffer along waterways will be an area where the surface is left in a natural state and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 Regulations."
 3. Metro GIS indicates the presence of a stream traversing the property north to south. Consequently, show and label the stream tops of bank.
 4. Show and label a 30' Water Quality Buffer from the tops of bank as noted in comment #4 above.
 5. With reference to comments 4 and 5 above, it appears that the concept plan depicts existing and proposed conditions despite the lack of appropriate labels. Ostensibly, the proposed condition involves piping of the stream. A variance for stream piping must be granted prior to concept plan approval.
-



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PUBLIC WORKS RECOMMENDATION

1. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Construct turnaround at terminus of dead-end alley, or provide for connectivity of alley.
3. Provide adequate intersection and stopping sight distance at the project access drive onto Monticello Drive, per AASHTO standards.

CONDITIONS (if approved)

1. Revise purpose notes, site data tables and any other relevant information to reflect 28 residential lots.
2. A D-3 landscape buffer yard shall be required along Monticello Drive at the property boundary west of the new public road.
3. The requirements of the Metropolitan Fire Marshal's Office for adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.



Project No.
Project Name

Subdivision 2007S-139G-14
River Landing Subdivision, Phase 3
(formerly Windstar Estates Subdivision)

Council District
School Board District
Requested By

11 – Brown
4 - Glover
Barge Waggoner Sumner and Cannon, applicant, for
Lakewood/R3 LLC, owner

Staff Reviewer
Staff Recommendation

Swaggart
Disapprove

APPLICANT REQUEST
Concept Plan

Request to subdivide approximately 34.43 acres into 15 single-family cluster lots located on property located at west of Keeton Avenue at the western end of River Landing Way, and Warren Drive.

ZONING
R15 District

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS

History

The River Landing subdivision was approved in 2003, as Windstar Estates. In 2006, an application for final plat was submitted for Phase 1, Section 1. The effective period for a preliminary plat is two years, and the previous approval had expired. The Commission granted an extension to the preliminary and approved a new preliminary on June 22, 2006. While the new preliminary that was reapproved by the Commission in 2006 is consistent with the originally approved preliminary plan, the Commission did require that it meet new standards for cluster lot subdivisions and required that a trail system be placed within the open space so that residents could have pedestrian access to the river front. The approval also conditioned that *no more development take place within this subdivision, and that the note on the plan that identified areas for future development be removed, and that the cul-de-sacs designed and labeled as temporary be designed as permanent cul-de-sacs.*

Concept Plan

This proposed concept plan is for 15 additional cluster lots within the River Landing Subdivision. Lots range in size from 8,840 square feet to 16,614 square feet. As



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Cluster Lot Option
Section 17.12.090

proposed lots will be located on the extension of streets previously approved with the River Landing concept plan. Ten lots will be located on an extension of Warren Drive, and five lots will be located on an extension of River Landing Way. As propose both River Landing Way and Warren Drive will be permanent cul-de-sacs. A NES easement bisects all lots along the south side of Warren Drive, and homes can not be located within the easement. While the NES easement reduces the buildable area, there is adequate space for building pads.

Environmental Concerns

The cluster lot option was created in order to provide for flexibility in design, the creation of common open space, and the preservation of natural features or unique or significant vegetation. The cluster lot option allows lots to be reduced up to two base zone districts, while providing at least 15% open space per phase. This plan meets the cluster lot option by providing approximately 30 acres of open space, which is roughly 87% of the land area for this phase.

A majority of the property is encumbered by flood plain (~68 acres, 93%). Section 17.28.040 of the Metro Zoning Code specifies that development on property encumbered by natural floodplain or floodway shall leave a minimum of 50% of the natural floodplain area, including all floodway area undisturbed and in its natural state. The current approved subdivision disturbs approximately 28 acres (38%). If this phase is approved the total area disturbed will be approximately 34 acres (47%), and does not exceed the maximum disturbed area allowed by Metro Zoning Code.

Staff Recommendation

Since this request is in direct conflict with the Commission's condition that no further development take place within this subdivision, staff recommends that the request be disapproved.

**STORMWATER
RECOMMENDATION**

Approved

**PUBLIC WORKS
RECOMMENDATION**

Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.



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CONDITIONS

(if approved)

1. Label the water quality pond.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2007S-144G-14
Earhart Road Subdivision
12 – Gotto
4 - Glover
Wanda C. Baker, owner, Dale & Associates, surveyor

Staff Reviewer
Staff Recommendation

Logan
Defer or disapprove unless a recommendation of approval is received from Stormwater prior to the Planning Commission meeting.

APPLICANT REQUEST
Concept Plan

A request for concept plan approval to create 142 lots on property located at Earhart Road (unnumbered), approximately 2,330 feet north of Hessey Road, zoned Single-Family Residential (RS15), (69.76 acres).

ZONING
RS15 District

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

PLAN DETAILS

The concept plan proposes 142 single-family lots. This application is proposing to use the cluster lot option, which allows lots to be reduced in size by two base zone districts. Since the zoning is RS15, 7,500 sq. ft. lots are appropriate if the plan meets all requirements of the cluster lot option policy.

Site Access

Access is proposed from the existing Earhart Road. Eight future connections are provided, six of which end in temporary turnarounds. Sidewalks are provided on all new streets.

Open Space

There is 16.36% usable open space proposed, which meets the 15% requirement for the cluster lot option. The Commission’s cluster lot policy requires common open space to have “use and enjoyment” value to the residents including recreational value, scenic value, or passive use value. Residual land with no “use or enjoyment” value, including required buffers and stormwater facilities, has not been counted towards the open space requirements.

Landscape buffer yards (Standard “C”- 20 feet) are required and proposed along the perimeter of the



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Staff Recommendation

property since the lots are under the base zoning and the adjacent zoning is RS15.

As the concept plan meets the requirements of a cluster lot subdivision and connectivity has been provided, staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Document sight distance at project entrance, and if adequate site distance is available per AASHTO for the posted speed limit.

Submit geotechnical report evaluating proposed roadway location, with the submittal of construction plan.

Earhart Court permanent cul-de-sac per ST-331.

NES RECOMMENDATION

- 1) Developer to provide high voltage layout for underground conduit system and proposed transformer locations for NES review and approval
- 2) Metro to inform NES and Developer as to what type high voltage service is to be installed
- 3) Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning)
- 4) 20-foot easement required adjacent to all public right of way
- 5) NES can meet with developer/engineer upon request to determine electrical service options
- 6) NES needs any drawings that will cover any road improvements to Earhart Rd that Metro PW might require
- 7) Developer should work with Metro PW on street lighting required future location(s) due to Metro's requirements



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- 8) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules
- 9) Need bridge details to determine conduit route for NES , Comcast, ATT

STORMWATER RECOMMENDATION

RETURNED FOR CORRECTION

1. The buffer depicted is not continuous. There is a gap to the left of lot 10. Appropriate correction is required.
2. Lot 10 cannot encroach into the noted buffer.
3. The WQ pond in the rear of lot 61 must be located in an area designated as open space. Appropriate correction is required.
4. Any open spaces containing water quality ponds must be dedicated as a public drainage easement.
5. Label all WQ ponds, measures or devices. Label The WQ ponds south of lot 106 and west of lot 83, respectively.
6. Under the Stormwater regulations a dry pond will not count towards water quality purposes unless it is in concert with another water quality measure. Wet ponds do not require additional WQ measures.

WATER SERVICES RECOMMENDATION

The Concept Plan submitted is acceptable to the Development Services Division. At this time, we have not yet received water and sewer plans.

FIRE MARSHAL RECOMMENDATION

No Comment

CONDITIONS

1. Final plat must show a 20-foot easement adjacent to all public right of way.
2. Remove Lot 118.
3. Correct Data Table. Property is zoned RS15. Remove "RS7.5" from "Base Zoning." Confirm



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Open Space and Open Area amounts and percentages.

4. Revised plan shall comply with all Stormwater requirements.
5. The buffer depicted is not continuous. There is a gap to the left of lot 10. Appropriate correction is required.
6. Lot 10 cannot encroach into the noted buffer.
7. The WQ pond in the rear of lot 61 must be located in an area designated as open space. Appropriate correction is required.
8. Any open spaces containing water quality ponds must be dedicated as a public drainage easement.
9. Label all WQ ponds, measures or devices. Label The WQ ponds south of lot 106 and west of lot 83, respectively.
10. Final plat must meet all requirements in the Metro Zoning Ordinance.
11. Provide for Planning Department review and approval, all proposed transformer locations prior to final approval by NES.
12. The requirements of the Metropolitan Fire Marshal's Office for adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 120 feet diameter.



Project No.
Project Name
Council District
School District
Requested by

2007S-164G-06
Harpeth Village
35 – Tygard
9 – Warden
Kimco Barclay Harpeth LP,owner,
Dale and Associates, surveyor

Staff Reviewer
Staff Recommendation

Sexton
Defer or disapprove pending PUD revision

APPLICANT REQUEST

A request for final plat approval to consolidate 3 lots into 2 lots for properties located at 8000, 8002, and 8004 Highway 100 at the northwest corner of Temple Road and Highway 100 (2.14 acres), zoned Commercial Limited (CL).

ZONING
CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and office use.

PLAN DETAILS

History

In October 2005, the original plan for the PUD called for the construction of Temple Road extension (connecting Old Harding Pike and Highway 100) and a Publix Grocery Store with surrounding smaller retail shops. The Planning Commission recommended that the applicant work on the design of outparcels 1, 2 and 3 to hide parking from Highway 100 and maintain a scenic road frontage.

On December 14, 2006, the Planning Commission approved a revision for 59 townhomes with units fronting Temple Road. The approved plans also show commercial outparcels 1, 2 and 3 on the approved plans.

Staff Recommendation

Staff recommends disapproval. The request is inconsistent with the currently approved preliminary PUD. Before a final plat can be recorded, it must be consistent with the approved preliminary and final PUD. In this case, the final plat is not consistent with the preliminary PUD plan and there is not an approved final PUD for this portion. This process needs to be followed before the final plat can be recorded.



**Project No.
Project Name**

**Planned Unit Development 155-74-U-14
Larchwood Commercial PUD (Daily's
Convenience Store)**

**Council District
School District
Requested By**

13 – Burch
6 – Johnson
James E. Stevens, applicant, for Tri Star Energy, LLC,
owner

**Staff Reviewer
Staff Recommendation**

Sexton
Approve with conditions

**APPLICANT REQUEST
Revise Preliminary & Final PUD**

A request to revise the preliminary and for final approval of a Planned Unit Development located at 3696 Bell Road, at the southwest corner of Bell Road and Blackwood Drive (0.99 acres), to permit a new 3,950 square foot convenience store and four new gas pumps, replacing an existing 2,992 square foot convenience store and car wash.

**PLAN DETAILS
History**

The portion of the Commercial PUD was originally approved on July 13, 1989, by the Planning Commission and has not undergone any significant changes since its original conception although many changes have been proposed. Since its original approval, there have been several changes that have been consistent with the original intent of the Commercial Planned Unit Development. Also, the original preliminary that was approved in 1989 called for commercial uses at this location.

Site Plan

The proposed plan calls for a new 3,950 square foot convenience store and four new gas pumps, replacing an existing 2,992 square foot convenience store and car wash. There will be a total of 34 spaces available for parking.

Staff Recommendation

Staff recommends approval with conditions because the proposed plan is consistent with the preliminary plans that were approved by the Planning Commission on July 13, 1989, for commercial uses.



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PUBLIC WORKS**RECOMMENDATION**

Remove existing entrance driveway from Stewarts Ferry/Bell Road

STORM WATER**RECOMMENDATION**

Construction Documents are required prior to final PUD approval or a letter from an engineer that states that project meets the exception criteria outlined within Section 3.4.3 in Volume 1.

FIRE MARSHAL**RECOMMENDATION**

Fire Hydrant shall provide required water flow (1500 gpm @ 20 psi)

URBAN FORSTER

Provide Tree Protection Fencing

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and



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field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

5. This final approval includes conditions that require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



Project No.
Project Name
Council Bill
Council District
School District
Requested by

PUD 189-73-G-14
Central Pike Medical Office Building
None
14 – White
4 - Glover
Bill Herbert, applicant, for Bettie J. Winton, Trustee,
owner

Staff Reviewer
Staff Recommendation

Jones
Approve with conditions

APPLICANT REQUEST

A request for final approval for a portion of a Planned Unit Development located at 3810 Central Pike, approximately 160 feet east of Dodson Chapel Road, classified (2.62 acres), to permit the development of a 35,200 square foot medical office building

PLAN DETAILS

Preliminary Plan

The preliminary plan includes a 35,200 square foot three-story medical office building on 2.62 acres within a Planned Unit Development.

Access

The site is accessible via two access drives and a sidewalk on Central Pike. Parking on the site includes 200 spaces.

Landscaping

A 20 foot wide landscaping buffer is provided between the Mixed Use Limited district and the adjacent residential districts.

Final Plan

The proposed final PUD plan is consistent with the Council approved preliminary plan

Staff Recommendation

Staff recommends approval of the medical office building within the Central Pike Planned Unit Development.

PUBLIC WORKS RECOMMENDATION

All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

STORMWATER RECOMMENDATION

Approved



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CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval includes one site sign. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require re-approval by the Planning Commission.



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7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



**Project No.
Project Name**

**Planned Unit Development 88P-038G-13
Long Hunter Chase, Phase 3, Section 3, Lots
125, 126 and 127**

**Council District
School District
Requested By**

33 – Duvall
6 – Johnson
John Coleman Hayes, P.C., applicant, for Enfield
Properties, LLC, owner

**Staff Reviewer
Staff Recommendation**

Swaggart
Approve with conditions

**APPLICANT REQUEST
Revise Preliminary & Final PUD**

**A request to revise the preliminary plan and for
final approval for a portion of a Planned Unit
Development located at Hobson Pike (unnumbered),
classified Single-Family Residential (RS10), (2.47
acres), to revise the phasing line to add three lots to
Phase 3.**

PLAN DETAILS

This is a request to revise the approved preliminary plan and final PUD. As proposed, a phase line will be changed to allow for three additional lots including open space and roadway to be included within Phase Three Section Three of Long Hunter Chase PUD. The area to be added will be 2.88 acres and will increase the total area for phase three section three to 13.06 acres.

Access

Lots will be accessed from a new extension of Derby Shire Drive. The new extension will also open a new access onto Hobson Pike, which will improve connectivity for Long Hunter Chase.

Preliminary Plan

The layout of the plan is consistent with the approved preliminary plan. The only change is the phase line.

Staff Recommendation

Since this request only revises phase lines and will provide a needed access point into the Long Hunter Chase PUD, staff recommends that the request be approved with conditions.

**PUBLIC WORKS
RECOMMENDATION**

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.



Metro Planning Commission Meeting of 6/28/2007

STORMWATER RECOMMENDATION

Approved

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these



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plans will require reapproval by the Planning Commission.

7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 88P-068G-13
Nashboro Square PUD
29 - Wilhoite
6 – Johnson
Development Management Group, LLC, applicant, for
CRSW Land & Cattle Company, owner

Staff Reviewer
Staff Recommendation

Logan
Approve with conditions

APPLICANT REQUEST
Revise Preliminary & Final PUD

A request to revise the preliminary and for final approval for a portion of a Planned Unit Development located at 2312 Murfreesboro Pike, approximately 500 feet south of Nashboro Boulevard (2.29 acres), to permit the development of 8,724 square feet of office, restaurant and retail use, replacing 8,750 square feet of office use.

PLAN DETAILS

This plan reduces the building size from 8,750 square feet to 8,724 square feet and changes the permitted uses. The approved PUD allows only office uses. This revision will allow office, retail, and restaurant uses, all of which are consistent with the original Nashboro Place PUD. Building placement is identical to the approved PUD.

Staff Recommendation

Since the revision to the preliminary is consistent with the approved preliminary, staff recommends approval.

PUBLIC WORKS
RECOMMENDATION

All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

CODES RECOMMENDATION

Need Hose bib locations
8% interior greenspace not met
Need perimeter landscaping on front.

FIRE MARSHAL
RECOMMENDATION

All new construction shall meet the water requirements of table H of the 2006 edition of N.F.P.A. 1.

STORMWATER
RECOMMENDATION

Plan looks similar to already approved plans.



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CONDITIONS

1. Revised plan shall comply with Codes requirements.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and



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field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

8. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.



**Project No.
Project Name**

**Mandatory Referral 2007M-083U-10
Proposed Lease Agreement Between
Metropolitan Department of Parks and
Recreation and Belmont University
Regarding Improvements to and Use of E. S.
Rose Park**

Associated Case

2007-056 Special Exception Permit Application for Proposed Athletic Fields in Rose Park being considered by the Metropolitan Board of Zoning Appeals [BZA]; at its meeting on June 21st, the BZA deferred this item to its August 16, 2007 meeting.

**Council Bill
Council District
School Board District
Requested By**

BL2007-1544, passed first reading June 19, 2007
19 - Wallace
7 – Kindall
Metro Real Property Services on behalf of Belmont University and Metro Department of Parks and Recreation

**Staff Reviewer
Staff Recommendation**

Eadler
Defer to the Planning Commission meeting on August 9, 2007 pending receipt of additional information.

APPLICANT REQUEST

**Review and Advise Metropolitan Council on
Proposed Lease Agreement Between Belmont
University and the Metro Department of Parks and
Recreation Regarding Construction of Athletic
Facilities in E. S. Rose Park and Belmont
University’s Use of Those Facilities**

BACKGROUND

The subject site is a community park owned by the Metropolitan Government under the control of the Metropolitan Board of Parks and Recreation. Belmont University is proposing to build three tournament-caliber athletic fields and related accessories in place of two existing ball fields. The Metropolitan Government would own the facilities and all other improvements subject to the lease agreement and would have full control over scheduling the use of the facilities. Through the proposed lease agreement, the university would have the right to use the proposed sportsplex part-time for NCAA sports events, related practices, sports camps, and potentially other non-NCAA events.



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**MANDATORY REFERRAL 2007M-083U-10 Parks Department-Belmont University
Proposal for E. S. Rose Park**

2006 Aerial Photo of Site



Site Plan Based on Proposed Lease Reviewed





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The proposed improvements include:

- 1) an 8-lane track and multi-purpose field for soccer, football and track & field events, with seating for 300;
- 2) a baseball field with seating for 500, expandable in the future to seat 750;
- 3) a softball field with seating for 250; and
- 4) various accessory buildings.

The Metropolitan Department of Parks and Recreation has been a partner working with Belmont University on this proposal from its inception almost two years ago to address and resolve issues that have arisen throughout the process. Their efforts also included extensive interaction with those potentially affected by the proposal. Several open meetings in the community were held, the proposal was publicly discussed at four Parks Board meetings, and extensive communication has occurred with the public and private entities that currently utilize the park. At their requests, Planning Department staff met and discussed the proposal with representatives of the proposed lease and with a group representing Organized Neighbors of Edgehill (O.N.E.), which has expressed its opposition to the proposal from the beginning. Those interests also provided written and graphic information related to the proposal to staff. The lease agreement has been approved by the Parks Board; the Metropolitan Council must also approve it.

ANALYSIS

Applicable Plans and Policies. Community and neighborhood plans adopted by the Metropolitan Planning Commission provide the goals and land use policy guidance for recreational open space. The focus of these plans is mainly to recognize the locations of broad types of existing and planned public parks and open space. Community and neighborhood plans do not address the development or functionality of specific parks, which is determined by Metro Parks Department.

The key land use issue raised by the proposed lease is the suitability of the park for the level of activity that will result from the use of the improvements contemplated in the lease. It should be noted that the suitability question would be same for an all-public or all-private recreational complex that did not involve a lease.



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The goals, plans and policies adopted by the Metropolitan Board of Parks and Recreation guide the development, use and operation of public parkland. The focus of the Parks Department's goals, plans and policies is to accomplish its mission: developing and operating the parks and recreation system for the entire community. While one major function of public parks is to provide places for unstructured active and passive recreation, another traditional function is the use of public parks for structured programs sponsored by both public and private entities. Private organizations with ongoing sports programs and private entities that conduct occasional special events work regularly with the Parks Department for "scheduled" time and use of parks or certain facilities in them. Most private use of parks is accommodated without lease agreements. However, there are existing instances of lease-based private use of parks. An example is Greer Stadium located in Ft. Negley Park.

The goals, policies and considerations of both departments are valid, but, at times they may not be in complete harmony. When there are apparent conflicts between appropriate land use and the provision of parks and recreation for the community, the Departments work to find compromise.

Community Plan Policy. E. S. Rose Park, the abutting Carter-Lawrence School to the west, and Rose Park School to the east are all designated "Open Space (OS)" on the community-wide land use policy plan in the *Green Hills – Midtown Community Plan: 2005 Update* (July 28, 2005). Open Space (OS) is a policy category applied to three broad groups of uses:

- 1) public parks and open spaces;
- 2) public civic activities such as schools, libraries and safety services; and,
- 3) large public and non-public cemeteries and land trusts—activities that are very "open" and passive in character.

The intent for public sites with "OS" policy is either continuation of the existing public use or creation of another public use—for example, an existing park remaining a park or the site of a closed school being converted to a park. In this case, the intent for the



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existing E. S. Rose Park is that it remains a community park.

Detailed Neighborhood Design Plan Policy. On the ‘Detailed Land Use Plan’ in the *Edgehill Detailed Neighborhood Design Plan* (also July 28, 2005), E. S. Rose Park is designated “Parks Reserves and Other Open Space (PR)” land use policy, distinguishing it from Carter-Lawrence and Rose Park schools, which are designated “Civic or Public Benefit (“CPB”)” policy. “PR” land use policy is applied in DNDPs to the first of the three broad use groups of open space uses described above, plus large public and private natural preserves and land trusts. The intent for areas designated “PR” policy is to preserve the existing public use if it is a park or open space, or, convert it to a park or open space if it is currently a different use. A stated general goal of the DNDP pertinent to E. S. Rose Park is: “Encourage and provide locations for a range of public spaces for passive and active recreational use by the residents of the neighborhood.”

Appropriate Uses In “OS/PR” Policy. Appropriate uses in areas of OS/PR policy range from undisturbed natural areas to intensively used areas for spontaneous recreation, organized sports for all ages, special events, and unique cultural and recreational activities.

The appropriateness of particular uses in individual “OS/PR” policy areas depends on the suitability of the site to accommodate those uses and the ability to adequately address the off-site impacts these uses have on surrounding land uses and the public facilities needed to support them.

Fields for various outdoor sports are clearly among the kinds of recreational facilities that are appropriate in public parks. Baseball fields are common in public parks of all sizes—at least 25 of Metro’s 94 parks have one or more baseball fields. There are softball fields in at least 10 Metro parks, 8 of which also have baseball fields. Soccer fields are rare; only three parks contain them. None of Metro’s parks contain a track and none currently contain fields for baseball, softball and soccer. Having a track facility and having three types of tournament class athletic fields in one park would both be novelties.



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The community plan reinforces the *Metropolitan Parks and Greenways Master Plan* (November 2002) regarding the community's public parks and open spaces. The community plan also can and often does supplement those plans with additional recommendations for parks and open space.

“OS” and “PR” policy clearly support athletic fields for public use. Both policies are silent, however, on whether or not a public/private time-share arrangement is appropriate for a university's part-time use of public playfields. Neither the Community or Neighborhood Plans contain any park-specific recommendations regarding the use or development of E. S. Rose Park.

Park Plans Affecting Land Use. The *Metropolitan Parks and Greenways Master Plan* (November 2002) contains extensive general information and guidance for community parks. The only park-specific recommendation for the use and development of E. S. Rose Park is renovation of the community center.

As described in the Parks Master Plan, community parks serve several neighborhoods and typically focus on providing intensive active recreational facilities, including tennis and basketball courts, soccer/football fields, and community centers with indoor gymnasiums. Regarding level of service (LOS), the acreage standard for community/high-use urban parks is 5 ac. per 1,000 people. In 2000, the LOS for the community served in part by E. S. Rose was about 50 percent of the standard.

Objective 3.6 in the Parks Master Plan advocates preparation of park-specific master site development plans. A master plan did not exist for E. S. Rose Park prior to the introduction of the subject proposed lease; however, the community center was recently renovated and preliminary planning was underway for various improvements to the park's existing facilities. Those improvements did not include most of the facilities in this proposal.

The Parks Master Plan does address public/private partnerships with regard to parks. Objective 4.4 in the Parks Master Plan states: “Maintain and expand the network of partnerships that share similar goals and



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resources. Action 4.4.2 under that objective states: “Develop new partnerships with organizations that can benefit Metro in system growth, operations and positive publicity.”

Major Physical Environmental Constraints: The site is hilly and would require cutting and filling in several areas to accommodate the proposed facilities. No information was provided by the applicant on impacts on storm water drainage.

Site Size: The site contains about 25 acres; no specific standard applies regarding site size other than the 7,500 s.f. minimum lot area for nonresidential uses in the RM20 district.

Setbacks: A 100-ft. setback is a requirement applicable to recreation center buildings next to residential districts or districts permitting residential uses. There are no apparent setback issues if the track/field and baseball fields are not subject to the 100 ft. requirement. Otherwise they are an issue because of the proximity of the northwestern section of the track facility to the Carter-Lawrence School site, and the proximity of the baseball field to the Rose Park School site.

Access: The site exceeds the access requirement for a recreation center which is: “minimum access to a collector.” The park currently has vehicular access from 12th Ave. S., a major street and Edgehill Ave., a collector street, in addition to Olympic St., which is a local road. The park currently has two accesses onto Edgehill Ave. In addition, 8th Ave. S., Edgehill Ave. and 12th Ave. S. are all transit routes and are within convenient walking distance of the park.

Parking: Adequacy of parking is an issue. The site currently contains ±115 marked parking spaces and a roughly 1-acre lot between the existing baseball diamond and Rose Park School that can accommodate an estimated 130-150 cars. Based on the site plan showing the improvements related to the proposed lease, 244 spaces are proposed in the park, which is no more and possibly less than the number available now. At 3 spectators per vehicle (assumed in the proposal), during peak use of the baseball field, all of the proposed parking



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spaces in the park would be needed for a capacity seating crowd of 750. That would leave no spaces for athletes, coaches or support staff; or for patrons of the community center or the remainder of the park. There are parking lots with a combined total of 75 spaces at the two abutting schools that could provide overflow parking, but the availability of that parking would depend on whether the parking is being used for school functions and/or how much the remainder of the park is being used when a baseball game is being played.

Adequacy of parking for the proposed athletic fields would also be affected by measures taken to ensure availability for patrons of other park facilities. For example, reserving spaces for Easley Community Center during baseball games would reduce the parking available and needed to accommodate capacity crowds at games. Community center patrons would be forced to compete for those spaces if they are not reserved.

Parking adequacy could be addressed in a number of ways. Additional parking could be provided on the site, although this may prove difficult if the goal is retain some part of the park as open space. The need for parking could also be addressed operationally by limiting the number and/or combinations of events scheduled at a given time so that the cumulative traffic generated by those events would not exceed available parking. Alternatively, shuttle service to the park could be provided for large athletic events expected to draw spectators. Finally, the site is also served by a sufficient sidewalk network and bus lines, providing alternative forms of transportation to the park that do not require parking.

Traffic Impacts: The application did not include a traffic impact study, so a thorough analysis could not be made of the proposal's potential traffic generation or the net impact when compared to traffic currently generated by the park.

Total and peak hour traffic generation are likely to vary significantly from day to day and seasonally. Some of the factors that would affect traffic levels would be the number and timing of individual events scheduled, whether those events are practices or spectator games, spectator turn-over on days when multiple games are



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played, and the amount of spontaneous patron traffic unrelated to the scheduled activities.

Based on capacity use of the 244 parking spaces proposed, one baseball game could generate about 488 trip-ends—244 in and 244 out. That is comparable to the amount of traffic a church with seating capacity for 690 people would generate on a typical Sunday.

Higher traffic volumes would increase the safety risk to pedestrians from the surrounding area destined to the park, particularly from the east, south and west.

As noted above, the site exceeds the access requirement for a recreation center and nearby transit service is available.

Land Use Impacts: Rose Park School is the off-site use that would be the most directly impacted in terms of proximity to the proposed facilities. At its closest point, the existing baseball field is about 160 ft. from Rose Park School and its bleachers are about 300 ft. away. The southeastern outer corner of the proposed baseball field would be only about 25 ft. from the western side of the school and the bleachers nearest to the school would be about 125 ft. away. A retractable net is proposed to keep baseballs in the field. Noise is currently an issue when school is in session. The proposal could result in increased noise impacts due to the closer proximity and greater number of new bleacher seats and if the proposal results in more events being scheduled and/or greater attendance at games while school is in session. Adverse impacts could be addressed, to a degree, through scheduling.

Lighting will enable events, and the noise they generate, later into the evening. The closest homes most directly affected are those to the north along Archer St. that would be about 270 ft. from the track & field bleachers. The proposed lighting will increase ambient light levels evenings when in use; however, adverse impacts are avoidable through management of orientation of the lighting and hours of operation.

Currently, the park provides a combination of services to the surrounding neighborhood, including a community center, pool, and venue for unstructured



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active and passive recreation serving area patrons; recreation facilities for the abutting schools, community-oriented organized sports and some organized sports programs reaching beyond the immediate community. The existing softball and baseball fields occupy about 17 percent of the park. Scattered over about a third of the park are parking lots, tennis and basketball courts, a playground, a swimming pool and the community center, leaving about half of the park in open space. The most significant physical land use change resulting from the proposal would be an increase in the portion of the park covered by sports fields from about 17 to an estimated 44 percent, reducing the unprogrammed open space to less than one-fourth of the site. With the proposed sportsplex, the only sizeable contiguous area of open space would be the roughly six-acre linear area in the northern section of the park between Olympic St. on the east side and the existing playground on the west side. It is also the hilliest section of the park. The proposed athletic fields would be available for unstructured use when they are not being used for scheduled activities. Specific information on how much of the time that might be was not provided.

The primary effects of the proposal on the use of the park will be:

- 1) a shift away from its historic function as a mainly community-oriented facility to one that is more regional and specialized in character and
- 2) with the provision of lights and bleacher seating, a facility that is potentially used more intensively and extensively for organized sports programs on the weekends and evenings. This may occur due to the scheduling of new major events hosted by the city because of the attractiveness of a “tournament class” sportsplex.

Conclusion: Land use policy regarding the proposed recreation center is not an issue per se. The site currently contains ball fields and a community center, both of which are types of recreation centers commonly found in parks. Street and transit access to the site are both good. Pedestrian facilities are not issues, except for pedestrian safety at crosswalks in general and particularly involving school students.



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The added lights and noise may have a slight negative impact on the surrounding area's current livability. With appropriate limitations on the intensity of use and adequate design and safeguards, the uses proposed should not unreasonably impair the area's integrity or suitability for long-term residential use.

More indepth analysis is needed to reach any conclusions about potential traffic impacts and the adequacy of proposed parking on the site. From the information provided, the amount of parking proposed does not appear to be adequate for a capacity-crowd baseball game and simultaneous use of other facilities in the park. Scheduling two or more of the athletic fields for activities at the same time would pose a problem, especially if that were to occur while the adjoining schools are in session. If it is determined that more parking is needed, it will also pose a problem. Given the amount of space needed for the proposed sportsplex, there would be little room on the site for additional parking if the park is to have a meaningful amount of open space for general public use. Parking adequacy can also be addressed, however, by encouraging users to take alternative forms of transportation—the site is well-served by buses and can be reached by cyclists and pedestrians. Finally, parking adequacy can be addressed operationally by scheduling fewer events.

A schedule estimating the magnitude and frequency of peak use of the facilities by all parties would help determine the degree to which existing programs would be impacted by the sportsplex. Such a schedule should identify for a full year 1) the projected use of all facilities by organization or program and time period allocated; and 2) the facilities and times they would be available for use by the general public. A schedule estimating peak use of the proposed facilities could also help analysis of the traffic impacts and parking needs associated with the proposal and whether or not those impacts can be satisfactorily addressed.

The proposed sportsplex would be a clear benefit and asset to Nashville's parks and recreation system and contribute to fulfillment of certain goals and objectives. Among the potential beneficiaries are residents of the surrounding community and throughout Nashville who



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participate in the existing sports programs and events that are able to continue in the park. They would have new tournament-class facilities to use. Others who would benefit include residents and visitors who participate in any new Park's Department sponsored activities scheduled for the park, and Belmont University and all who participate in its activities and events scheduled for the park.

Not everyone would benefit, however. At the very least, there would be less community park open space available for casual use by patrons from the surrounding neighborhood—in a community that already has at least a 50 percent deficit in community park acreage. While the athletic fields would be available to the general public when organized activities are not scheduled, the amount of time that occurs would most likely be less than it is now if scheduling can be worked out that accommodates all existing program events and activities and Belmont events. Any additional scheduling of events would only further reduce the availability of the fields to casual park users and spontaneous use. There is also the possibility that some existing programs will be unable to fit into the schedule and be displaced. It should be noted, however, that in all Metro Parks, the Parks Department is forced to schedule use of facilities and not all groups are accommodated today.

If scheduling issues cannot be resolved to the satisfaction of all existing program activities and events, and/or traffic and parking issues based on an estimated-use schedule cannot be satisfactorily resolved, then the site is not suitable or adequate for the extent of development contemplated in the proposed lease.